To What Extent Does the UK Asylum Support System Contribute to Destitution?

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CHAPTER ONE: Introduction

The UK media's presentation of the 'Refugee Crisis' has been mixed and contradictory in the past year. What began as a commentary on a 'plague of feral humans' coming like 'cockroaches', via sea, to claim benefits (Hopkins, 2015), became a surge of empathy and compassion following the photographs of the body of three-year-old Aylan Kurdi washed up drowned on a beach in Turkey (Whithnall, 2015). This surge soon subsided, but the number of people fleeing persecution has not. For the past three decades, a negative rhetoric in government and in the media has depicted refugees as outsiders to whom we owe nothing more than the law demands (Bales, 2015). This attitude has created the justifications behind an increasingly restrictive immigration and asylum policy. Asylum seekers, who are forbidden to work, and who only have access to a complex-to-navigate asylum support system that offers a bare-minimum level of support, are among the most vulnerable groups in society, and are often systematically forced into destitution.

With a regional focus on Bristol, this project evaluates the impact of the asylum support system on asylum seekers and those refused asylum but remaining in the UK. I address the research question 'To what extent can the UK asylum support system be shown to contribute to destitution?' This project offers an insight into the effects of Home Office policy and practice, and level of support, on those facing destitution upon arriving in the UK.

This question is important because of current high levels of forced migration, with 59.5 million people displaced worldwide (UNHCR website, 2015). The UK saw approximately 31,400 applications for asylum in 2014 (Red Cross, 2015). Under the Universal Declaration of Human Rights and the United Nation Refugee Convention, to which the UK is subject, if a person fleeing persecution enters a state, they must be admitted to that state and granted provision to avoid destitution (Bales, 2015, p. 429).

While waiting for a decision on an asylum claim, individuals may not work and are not entitled to mainstream benefits, but may apply for asylum support. If they are refused asylum, and therefore support, they are expected to leave the UK. When they do not leave, they are vulnerable to destitution. In addition, those who are granted support may receive an inadequate amount, and may also experience destitution. The British Red Cross (2016) report a record number of asylum seekers using their services, with at least 9,000 left destitute in 2015. With a large proportion of asylum-seeking people experiencing destitution, it is important to understand the factors contributing to this within an already vulnerable group.

Aims

The first aim of this project is to provide the reader with an understanding of the UK asylum support system, within the context of UK immigration and asylum policy. An evaluation of the literature offers insights into the features of this system that may contribute to destitution among asylum seekers, and these issues inform the hypotheses of the project.

The second aim is to give the reader an understanding of the ways in which the asylum support system can be shown to be causing destitution, by carrying out research with members of important organizations that support destitute asylum seekers in Bristol, and analyzing the findings of this research in relation to the hypotheses drawn from the literature review.

The final aim of the project is to offer policy recommendations, based on the findings, which might mitigate the problem of destitution among asylum-seeking people.

Scope

It is within the scope of this project to conduct interviews with members of NGOs (non-governmental organizations) in Bristol that support asylum seekers. This constitutes a reliable source of information, as the literature demonstrates that the majority of research on destitution among asylum seekers is carried out by NGOs. Additionally, these organizations work with large numbers of asylum-seeking people in the city, and can therefore accurately generalize the experiences of these people and identify the common problems that they face. It is beyond the scope of this project to carry out national research, as the resources are not available to do so; therefore this project has a regional focus on Bristol. The literature demonstrates that projects with a regional focus have similar outcomes as those conducted at the national level, and therefore the information gathered regionally is relevant at the national level. It is beyond the scope of this project to carry out interviews with asylum seekers, as they are classed as a vulnerable group, and therefore ethical considerations prevent this.

Methods

Research for this project employs elite interviewing with NGO professionals. Burnham et al. (2008, p. 232) advise that when using elite interviewing as a research technique, one should employ another form of research in order to strengthen the findings. As such it was necessary to first complete a thorough review of the literature on this issue in order to form hypotheses. The literature review focuses on the experiences of asylum seekers in the UK, destitution

among asylum seekers, and immigration, asylum, and asylum support policy. This literature review revealed the primary issues within these areas.

Research was then conducted by carrying out interviews with the target group, professional people in Bristol-based organizations dealing with destitution in the region. The reason for carrying out such research is that very little official data is collected about asylum seekers, to do with 'their lives, their health, their homes or lack of them' (Hintjens, 2012, p. 91). The groups who are informed about these issues are support and advocacy groups.

Findings

A number of findings emerged from the interviews. The first point of consensus was that the deterrence-based system has a negative impact by restricting an individual's access to asylum support, as well as making the asylum process highly stressful and physically and emotionally harmful. However, professionals disagree about whether the deterrence-based system is effective. Statistics show that the number of people claiming asylum has decreased since the government introduced this system. However, some professionals stated that this system does not deter those already in the UK who are expected to leave.

Secondly, it became clear that the level of support available is insufficient to enable people to meet their essential living needs. Due to low levels of support, the professionals stated that asylum seekers live in destitution even when in receipt of asylum support, because they cannot afford essentials such as food, clothing and essential travel. Additionally, it became clear that the cashless system has an adverse effect by deepening the stigma around asylum and preventing people from wanting to do their essential shopping.

Finally, Home Office policy was found to be contributing to destitution by failing to provide people with support when they are refused asylum, despite these refusals frequently being overturned by the court. Home Office practice was also found to be causing destitution by (a) expecting people to make an expensive trip to Liverpool to pursue their asylum claims, (b) frequent mistakes in decisions that result in the termination of support, and (c) long delays that cause extended periods of destitution.

CHAPTER TWO: Background

Introduction

This section offers a definition of destitution and explains the legal requirement that a state should protect vulnerable people from it. I then provide recent historical and political context to the current UK asylum and immigration policy. Finally, I clarify the different categories of asylum seekers that are vulnerable to destitution, and the different types of support they may be entitled to.

Destitution

UK law demands that if a person fleeing persecution enters a state, they must be admitted to that state and granted provision to avoid destitution (Bales, 2015, p. 429). In order to pass the 'destitution test', as set out by the Home Office, an individual must prove they have no adequate accommodation or money to meet their expenses, now or within the next fortnight (Gower, 2015).

Recent history of UK immigration policy

The 1950s saw the first marked arrival of large numbers of refugees in the UK, with over 21,000 arriving from Hungary alone as a result of the Second World War and the Hungarian revolution. Over subsequent decades policy became increasingly restrictive. In 2002, amidst the 'Global War on Terror', the UK saw 84,130 asylum applications (O'Sullivan, 2009). This put pressure on decision-making at government level, and ultimately led to the justifications

behind the current restrictive asylum and immigration policy in the UK. Indeed, many of those displaced during the War on Terror remain in the UK today, still trying to seek protection. As a result, it is legitimate to argue that enforced destitution has become a planned outcome of policy (Allsop et al., 2014).

Political context

The UK now operates a deterrence-based asylum system, whereby most initial claims for asylum are refused. In 2004, initial refusals peaked at around 90%, in stark comparison to 1984 when only 24% of initial asylum claims were refused (Hawkins, 2015, p. 8). The deterrence-based system is apparently effective insofar as the number of people claiming asylum in the UK has steadily declined. Applications peaked in 2002 at 84,130, while 2014 saw only 25,033 (Hawkins, 2015, p. 6). However, there are still tens of thousands of asylum seekers in the UK that are being processed by a system that aims to deter them.

It is worth making explicit here that apart from those asylum seekers being processed by the system, there is another distinct group: refused asylum seekers. These people are not able to access asylum support, and often experience destitution. While most initial asylum claims are refused, 75% of refusals were appealed between 2004 and 2011, with a 22% success rate (Allsop et al., 2014, p.7). Given that refusals are common, but appeals are clearly worthwhile, it is reasonable to argue that the Home Office is capable of making mistakes in the asylum process. It is for this reason that an intersection exists between those granted protection, who are being processed by the system, and those refused protection. The latter group consists of people who have been denied support, but who cannot return home and cannot legally work in the UK. It is this group of people who are most likely to slip into destitution: an estimated 90% of refused asylum seekers brave destitution rather than returning to their countries of origin (Blitz & Otero-Iglasias, 2011). It is therefore reasonable to assume that the number of people in this group is very high.

For the purpose of this project, I will include both those with current asylum claims and refused asylum seekers as part of the same demographic of people vulnerable to destitution as a result of asylum support policy. I refer to both groups as ‘asylum seekers’.

Current levels of destitution in the UK

While the actual number of refused asylum seekers in the UK is unknown, in 2005 ‘a figure of up to 450,000 people was circulated’ (Blitz & Otero-Iglasias, 2011, p. 661). The British Red Cross report a record number of destitute asylum seekers, with at least 9,000 destitute in 2015 (The British Red Cross, 2016). This evidence demonstrates the scale of destitution among asylum seekers in the UK, and why it is important to understand the factors that contribute to it.

UK immigration and asylum policy

The 1951 Refugee Convention, to which the UK is subject, defines a refugee as someone who, ‘owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country.’ (Refugee Council website, 2015). Refugees therefore have permission to seek refuge in an alternative state. In order for someone to gain refugee status in the UK, they must first apply for asylum.

An asylum seeker is defined as ‘someone who has lodged an application for protection on the basis of the Refugee Convention or Article 3 of the ECHR’ (Refugee Council website, 2015). In order to be eligible, a person must fear persecution for reasons of race, religion, nationality, political opinion or membership of a particular social group, for example: political, religious, a particular sexual orientation or gender identity (Government website, 2016). A refused asylum seeker is someone who has had their initial asylum claim refused, who may or may not have appeal rights, but who remains in the UK.

Asylum support

Once a person has claimed asylum, the UK is obliged to provide them with a dignified and adequate standard of living if they would otherwise be destitute (Bales, 2014). Asylum seekers in receipt of support fall into two groups: those on Section 95 support, who are waiting for a decision on their initial asylum claim. And those on Section 4 support who have been refused asylum but may be pursuing their claim by appealing it or making a fresh claim, or agreeing to return home. Asylum seekers without support are those who have been refused asylum and who may have exhausted their appeal rights but cannot return home due to fear of persecution.

Section 95

An asylum seeker waiting for a decision on an asylum claim is not permitted to work, but may apply for support that consists of accommodation and cash, or cash only if they have accommodation. If the Home Office accepts that a person is in need of housing, they are provided with accommodation depending on availability. Accommodation is provided on a no-choice basis, and may be anywhere in the country (Government website, 2015). However, this process involves waiting times. In addition, if the Home Office deems it necessary, a person will receive £36.95 a week in cash (Gower, 2015). This type of support is known as 'Section 95', because it falls under Section 95 of the 1999 Immigration and Asylum Act (Taal, 2015, p. 12).

If a person is refused protection, this support ends after 21 days. If a person is granted protection it ends after 28 days, at which point they are expected to move into mainstream benefits and are allowed to work (Taal, 2015). While there are issues with the transition into mainstream support, it is beyond the scope of this project to address these. In order to be eligible for Section 95 support, a person must appear to be destitute, or likely to become destitute. They must also demonstrate that they submitted their claims for asylum 'as soon as reasonably practical' (Beswick & McNulty, 2015, p.7).

Section 98

If a person becomes destitute while awaiting a decision on their Section 95 application they may apply for Section 98 support. In these cases, temporary accommodation is provided in initial accommodation centers (Beswick & McNulty, 2015). However, there are waiting times even for emergency accommodation, so this type of support does not guarantee that destitution is avoided.

Section 4

A refused asylum seeker is expected to leave the UK. If they cannot, or they intend to make a new application or appeal the refusal, they can apply for support under 'Section 4' of the Immigration and Asylum Act 1999 (Taal, 2015). This form of support provides successful applicants with accommodation, if available, and (once in accommodation) a payment card that allows them to spend £35.39 per week on food, clothing and toiletries (Government website, 2015). Individuals granted Section 4 support must take the offer of a place to live in order to receive the payment to their card, and they are not given cash (Government website, 2015).

In order to qualify for Section 4 support, a person must prove they are, or will become, destitute within 14 days, and fulfill one or more of the following conditions:

- They are taking all reasonable steps to leave the UK, such as obtaining a travel document.
- They are unable to leave due to a physical impediment or medical reason.
- They are unable to leave because the Secretary of State deems there to be no viable route to return.
- They have applied for judicial review of the decision made on their asylum claim.
- Providing the applicant with accommodation is necessary so as not to breach their human rights, for example if the individual has submitted new evidence for their asylum claim, which is thus considered a fresh claim (Gower, 2015).

Section 95 support is terminated 21 days after a negative decision is made. However, an individual may only apply for Section 4 support 14 days before they will become destitute. As discovered in the interviews, delays occur during

this part of the process and it is very unusual for someone to transition from Section 95 support to Section 4 support without a delay, during which they become destitute.

Level of support

The level of support available is significantly below the level of mainstream benefits. An unemployed single person over the age of 25 with citizenship or leave to remain in the UK will receive £73.10 a week in income support (Government website, 2016). The disparity between mainstream benefits and asylum support suggests that he level of support available to asylum seeking people is not sufficient to meet their needs (Refugee Action, 2014). In 2011 the rates were frozen at £36.62, which was reduced in real terms due to inflation and the rising cost of living (Bales, 2015). This rate continued until it was further reduced in August 2015 to the current rate of £35.39 (Gower, 2015).

Asylum seekers not in receipt of asylum support

In addition to the two aforementioned categories of asylum seekers that the government supports, there is the third category of people who are not in receipt of support. Very little is published on this category of asylum seekers because it is so challenging to gather accurate statistics about them, since they are no longer in the system. The government expects 'appeal rights exhausted' people to leave the UK, so in principle this category of people should not exist. In reality, it does: it is estimated that 90% of refused asylum seekers stay and face destitution rather than returning to their country of origin (Blitz & Otero-Iglasias, 2011, p. 662).

In addition to those refused asylum, this group also contains individuals who may not access support because they do not understand the system, or because they fear it (Allsop, et al, 2014, p. 21).

CHAPTER THREE: Literature review

Introduction

This section offers a review of the literature on the justifications for the deterrence-based system, on the effects of asylum support (including the Azure Card cashless system), and on the effects of Home Office policy and practice.

Deterrence based system

In order to understand the aspects of the UK asylum support system that contribute to destitution, it is worth exploring the justifications behind the restrictive UK asylum and immigration policy, and in turn the asylum support policy. A review of the literature identifies a consensus on how the UK government, aided by the media, has portrayed a negative narrative of asylum seekers in the UK, and how the government has exploited this narrative to restrict the entitlements an asylum seeker has in the UK.

Disbelief

Billings and McDonald (2007) address the treatment of asylum seekers in the UK, alleging that the integrity and legitimacy of asylum seekers is frequently disputed, based on assertions by the media and politicians suggesting that they are a drain on welfare, that they do not contribute to society and that they are not genuinely in need. As Billings and McDonald (2007, p. 49) observe, 'This view has become deeply entrenched in public discourse, notwithstanding the absence of empirical evidence to sustain the argument'. It is reasonable to argue that the negative rhetoric disseminated by the media is intended to sway public opinion, and is perpetuated by the Government in order to please the public by reducing spending on asylum seekers.

National solidarity

Bales (2015) discusses the concept of 'national solidarity' in exploring why the UK does not afford the same rights to vulnerable 'outsiders' as it does to 'deserving citizens'. Bales considers citizenship to be the most important part of the welfare state, because it is provided in return for loyalty, whereby the community collectively support the poorer members. It is for this reason that 'outsiders' are excluded from this loyalty, because they are not part of the community and have not contributed. The article deconstructs how national solidarity has created negative attitudes towards asylum seekers, leading the Government to employ a deterrence-based asylum support system aimed at preventing asylum support from becoming a 'pull factor'.

Policy to deter

Taal (2015) argues that asylum seekers are separated from refugees in policy and in discourse because refugees have access to work and mainstream rights, and that this creates a stigma around asylum seekers. The article points out that six acts of parliament were passed between 1993 and 2006 to deny asylum seekers access to employment and the welfare state as a deterrent (2015, p. 10). Taal (2015, p. 12) argues that '[The government] have crudely reshaped refugee and asylum policy to fulfill the twin objectives of deterring and preventing long-term settlement and reducing public welfare spending'. This evaluation identifies the characteristics of immigration and asylum policy that have led to its deterrence-based nature.

Hitjens (2012, p. 90) confirms the impact of deterrence by comparing the acceptance rates of UK asylum claims with other countries. In 2007, the UK acceptance rate was very low at 13%, compared to those of Cyprus (87.5%), Sweden (82%) and Germany (85%).

Asylum support

A consensus in the literature holds asylum support responsible for destitution among asylum seekers. One issue with Section 95 and Section 4 support is the level of support available to people, including to children and babies. Another issue with Section 4 support is the cashless system and how this restricts its users.

Level of Support

The most obvious issue with asylum support is the level of support available. Those on Section 95 support may be provided with accommodation if they need it, or just subsistence if they have adequate accommodation. Individuals on Section 95 receive £36.95 in subsistence.

In 2014, Refugee Action published a report 'Bring back dignity to our asylum support system', which evaluated the impact of asylum support levels on those in receipt of support. The report found that the level of support does not allow for a healthy and nutritious diet: 38% could not afford enough food for themselves and their dependents, 43% had missed a meal because they couldn't afford it, 45% could not buy fresh fruit and vegetables, and 60% could not buy food that meets their dietary, religious or cultural requirements, such as halal meat (2014, p. 3). Additionally, 85% could not afford clothes with their subsistence money, thus lacking suitable clothing for the British climate, which increased isolation (as they avoided going outside as a result), as well as rendering them more vulnerable to health problems (2014, p. 4). The report also found that 43% were unable to buy toiletries and 25% were unable to buy essential sanitary products, leading to further isolation and embarrassment (2014, p. 4). In addition, 68% of those surveyed could not buy kitchen utensils and cleaning products such as washing powder (2014, p. 4). They also discovered that asylum support users could not afford essential journeys on public transport: 80% of users could not afford to use public transport to go shopping, 48% could not afford to meet their legal representatives and as a result, 45% felt this impacted their asylum claims. 50% could not afford to travel to local advice organizations and 45% could not afford to travel to their doctors, including pregnant women (2014, p. 4). The cost of travel is a highly significant factor, given that some appointments are legal requirements for asylum seekers, and failure to attend can result in detention or withdrawal of asylum claims (Bales, 2014).

As Bales (2014) points out, the justification that the government gives for setting the level of support at 70% of Income Support, is that the support is temporary, and bills and rent are pre-paid. However, the average application

lasts 18 months, calling into question the 'temporary' nature of support, and indeed whether it is reasonable to compare the types of support (Bales 2014, p. 248).

Given the consensus in the literature, it is therefore reasonable to argue that the level of support contributes to destitution among asylum seekers.

The Azure Card

Another issue with asylum support is the cashless system that Section 4 support users are subject to, whereby they have no access to cash, but receive weekly payments on a card that can be used in specified retailers. This restricts what they can buy to basic food and toiletries, and excludes transport.

The British Red Cross (2014) conducted a survey of organizations supporting asylum seekers, which found that people on Section 4 struggle to meet their essential living needs due to the restrictions of the Azure Card. The survey revealed that 85% of respondents felt their clients were left hungry because Section 4 support is insufficient, and 81% felt that the retailers available did not offer good value for money (2014, p. 8). In addition, respondents stated that users find it difficult to understand the system, and 79% felt that staff at the approved retailers do not understand either, with 72% of their clients reporting having their cards refused, causing embarrassment and anxiety and creating stigma (2014, p. 8).

Home Office policy

The literature also identifies issues with Home Office policy that lead to destitution, including the withdrawal of support for refused asylum seekers who have no viable route of return, and the expectation that people travel to Liverpool without financial support to make further submissions.

No support for refused asylum seekers

A common situation in which destitution occurs due to Home Office Policy is when someone is refused asylum, and therefore support, but is unable to return home, either due to fear of persecution or because the Home Office deems there is no viable route of return. In 2000, for example, routes to Zimbabwe were barred, but Zimbabweans were refused asylum nevertheless (Allsop et al., 2014, p. 22). Another example is when an individual is not recognized by their country of origin, and is therefore stateless, but is refused protection by the UK. Allsop et al. (2014) maintain that there is an unknown number of refused asylum seekers in the UK, a large proportion of whom are destitute. This assertion is based on the fact that organizations that support asylum seekers report high service use. For example, between 2005 and 2006 more than 46,000 asylum seekers contacted Refugee Action for advice, approximately 40% of whom were destitute (2014, p. 13).

Travel Expectations

One aspect of Home Office policy contributing to destitution among asylum seekers is the expectation that they travel to Liverpool to submit new evidence in order to make a new asylum claim, and once again in order to reapply for asylum support once refused. Between 2003 and 2008, Glasgow Refugee Survival Trust paid for 527 people to travel to Liverpool for this reason (Allsop et al., 2014, p. 19).

Home Office practice

Home Office practice is often identified in the literature as a factor contributing to the destitution of asylum seekers, due to frequent delays, inconsistencies, errors and penalties (Taal, 2015, p. 14). Taal maintains that systemic disbelief operates in Home Office decision-making, leading to unfair outcomes. The fundamental issue is that the asylum system forces people into dependence on the state, but when it refuses them, they have no alternative support, leading to destitution and dependency on others (such as friends, family and charitable organizations). Taal found that the 'consequences of a negative decision were a main cause of destitution' (2015, p. 23), asserting that

the most vulnerable point in the process in terms of risk of destitution is when people are without support while they wait for their claim to be processed, either because the Home Office does not believe them to be destitute, or because the asylum seeker does not know s/he is entitled to support, or because there are long waiting times for decisions. In the meantime, without access to work or benefits, individuals are vulnerable to falling into the destitution trap.

Delays and errors

Closely linked to this issue are the delays and errors that the Home Office is responsible for, meaning that many endure long periods of destitution. Allsop et al. (2014, p. 20) state that in 2006 there were 450,000 backlogged cases, and estimate that this figure could include as many as 100,000 children.

Allsop et al. (2014, p. 17) argue that the results of poor Home Office practice include 'shocking examples of hunger', as well as negative impact on the health of individuals and high levels of maternal and infant mortality, due to dispersal far from sources of antenatal care and lack of transport funds.

Similarly, Liebling et al. (2014) maintain that Home Office staff lack the appropriate knowledge about asylum seekers' countries of origin to make a decision about their asylum claim. As a result, many who have legitimate cases are refused, and in turn, receive no support, leading to social exclusion and destitution. When discussing the experiences asylum seekers had with the Home Office, asylum seekers reported Home Office staff to be uncaring, inhumane and disbelieving of individuals, and that decisions were very slow leading to prolonged periods of destitution (Liebling et al., 2014).

Errors and delays

The Refugee Survival Trust's (2012) video 'destitution' also provides examples of common problems arising as a result of Home Office practice, including errors and delays that lead to destitution.

The first problem they identify is when events such as a post office closure prevent someone from collecting their subsistence. Proof that they are entitled to support takes two weeks to arrive, in which time they have no access to funds, and are therefore destitute. The second problem they identify is when an individual has their support cancelled by mistake, but the emergency tokens cannot be delivered, which also leads to destitution. The third example they identify is when someone has their asylum claim refused, and so is not entitled to support, but cannot return home. In these cases, people also experience destitution. The final example given is when an individual is granted refugee status, but asylum support is stopped before mainstream benefits are instated, and as a result, they become destitute.

The literature suggests that these experiences are commonplace for asylum seekers, and for the most part are due to poor Home Office practice.

CHAPTER FOUR: Hypotheses

The review of the literature generates the following hypotheses:

- The negative narrative of asylum seekers and refugees in the media has given the government license to create a restrictive asylum policy. This has resulted in a **deterrence based asylum support system** that uses destitution as a tool to prevent people claiming asylum in the UK.
- The **level of support** available to asylum seekers (Section 95 and Section 4) is insufficient, which leads to destitution.
- **Home Office policy and practice**, including mistakes, errors, delays, and withdrawal of support for refused asylum seekers, results in homelessness and destitution among asylum seekers.

These hypotheses can be tested against the evidence gathered from interviews with professionals in organizations that support asylum seekers in the Bristol area.

CHAPTER FIVE: Methodology

Participants

Little statistical data is gathered on destitution among asylum seekers, but from the literature it is clear that NGOs have the deepest insight to their experiences. Therefore, professionals in NGOs are the elite group to interview, because they can offer expert opinions on the topic under discussion, and are likely to have the greatest knowledge (Burnham et al., 2008).

The literature review revealed that the advocacy role the first interviewee's organization plays in asylum support issues was highly significant, and that the organization operates in this capacity in Bristol. Therefore, I approached the operations manager of this branch with a request that he be interviewed for the project. When I approached my first interviewee, he was able to refer me to other NGO professional to interview on the same issues. This allowed me to build a reliable and well-informed target group of elites, employing referral sampling (Burnham et al., 2008).

Interviewee 1 is an operations manager of an NGO that helps asylum seekers with their applications for asylum support, and with terminations of support and appeals.

Interviewee 2 runs an organization that has a network of spare rooms that are available to destitute asylum seekers.

Interviewee 3 works at a refugee center in Bristol that provides all types of asylum seekers, refugees and trafficking survivors with various types of support, including food, English lessons, advice and training. They have a destitution fund to provide for the most vulnerable people they support, and they support people in gaining access to other services such as healthcare and legal advice.

Interview method

The project relies on qualitative methodology, based on interviews with NGO professionals. In order to identify issues with the asylum support system and the extent to which they may be contributing to destitution, semi-structured interviews were conducted, allowing participants the opportunity to expand on points that may not have been considered previously. In these cases, variation in questioning only arose from the respondent's views, rather than the administration of the interviews (Burnham et al., 2008). This is opposed to the standardized question method, which would not give the respondents the opportunity to expand on points not addressed by the questions.

The interview questions were based on the hypotheses, to find out whether or not the participants' views supported them, and why they did or did not. Due to interviewees having limited time, the interviews had to be kept relatively short. As a result, the questions were asked about asylum seekers in general, rather than asking each question about the different categories of asylum seekers (those receiving Section 95 support, those receiving Section 4 support, and those refused support). Had this distinction been made in the interview questions, there would likely have been some repetition, and the process would have taken three times as long. As a result, the findings are based around the experiences of asylum seekers in general. The interview questions are provided in Appendix 1, and discussed in detail in Section 6.

Ethical considerations

Ethical considerations prevented interviews with asylum seekers because they are identified as a vulnerable group. However, interviewing NGO professionals is low risk. In order to satisfy ethical considerations an information sheet was prepared for participants to read and keep, explaining their involvement in the project (Appendix 2). In addition,

all participants signed a consent letter and decided whether or not they wished for themselves and the name of their organization to remain anonymous (Appendix 3).

Limitations

One limitation of the research method was that not all of the professionals that were approached were willing or able to take part. This meant that the size of the target group was limited to three people. However, there are a limited number of organizations in Bristol working with destitute asylum seekers, so the three people interviewed were able to offer a representative insight into the issues. Furthermore, a large sample size was not necessary as the interviews were supplemented with the literature review (Burnham et al., 2008, p. 234).

A further limitation was that it was challenging to gain substantial information about fully refused and street homeless asylum seekers. One of the interviewees works in an organization that only supports people in receipt of support, and one worked with all types of asylum seekers and so did not make a distinction between the different categories when discussing their experiences. While one interviewee works exclusively with refused asylum seekers, her organization offers them support, so the experiences of this group would not be fully representative of totally destitute, street homeless asylum seekers. However, all groups come into contact with people who have experienced this type of destitution.

CHAPTER SIX: Interview findings

Introduction

This section presents the findings from the interviews conducted with professionals from Bristol-based NGOs that support asylum seekers. The first interview question focused on the deterrence based system and its impact. The second interview question addressed the asylum support system and its impact. Finally, the third interview question explored Home Office policy and practice and its impact.

The deterrence based system: findings

When asked why and how the government operates a deterrence based asylum support system, Interviewee 1 stated that the government attempts to deter people by deliberately making it difficult to claim asylum, and that in this respect he felt the system was effective:

“By making this really hostile asylum system in the UK they are trying to send the message out to people not to come and claim asylum in the country, and it is working.”

When asked the same question, Interviewee 2 stated that deterrence is not effective and that it is simply a form of punishment:

“I think they are operating a deterrence based asylum system, I don’t think it actually works, […] It’s really just a form of punishment, for people being poor and destitute and needy. I think it’s more than deterrence, I think it’s ideologically motivated and shocking, it’s very deliberate, very calculated, very callous, very well-designed to cause the maximum harm to a person.”

When asked the same question, Interviewee 3 expressed that deterrence is the Government’s way of trying to please the public in the fact of negative media rhetoric. Interviewee 3 also agreed with Interviewee 2 that this does not deter people who are already trying to seek asylum, because the alternative is far worse than the destitution they experience in the UK:

“There’s a negative rhetoric, the Daily Mail would like you to think that there are hundreds of thousands of people

coming to steal benefits and jobs, but asylum seekers can't get benefits or jobs, so that's not going to happen. The government is trying to please the public, […] I don't know why they do it, because it doesn't work. By making the process as miserable as possible they want to put people off, but when the alternative is to be tortured, imprisoned or raped, they will deal with being homeless because the alternative is so horrendous and tragic."

The Impact of deterrence: findings

When asked what kind of impact the deterrence-based system is having on asylum seekers, Interviewee 1 maintained that it is leading to destitution, hunger and street homelessness, as well as to physical and mental health problems:

"It's having a huge impact on people, both leaving them destitute, and destitution is leading to their mental health and even their physical health problems as well, because people are feeling emotionally rejected and not wanted in this country. It leads to a lot of physical issues like malnourishment and not being able to sleep properly because of the hunger. Some people are completely street destitute. It's having a huge impact."

When asked the same question, Interviewee 2 agreed that deterrence leads to destitution, and that this has a negative impact on the individual, as well as on the economy:

"What the government have achieved by causing the maximum amount of harm to an individual by this process of forced destitution is the person becomes less economically capable, less active, more depressed, more prone to PTSD mental trauma, less likely to make a go of their lives after they get their leave-to-remain, and start contributing to the economy, and more likely to become a drain. So what they've actually created for themselves is a ticking time bomb, a long term problem of destitution, it's very difficult to solve and to fix and will cost the rest of the economy a huge amount of money."

When asked the same question, Interviewee 3 also agreed that deterrence is causing destitution:

"The impact is that a class of people is created who live in destitution, that nobody cares about, and who people like to pretend don't exist."

Level of support: findings

When asked if the level of asylum support available under Section 95 and Section 4 is sufficient to prevent people from experiencing destitution, interviewee 1 explained that it is far from sufficient, as people cannot afford food, as well as other necessities such as haircuts, sanitary products and appropriate winter clothing:

"We asked people to keep a diary of their expenditure over the course of two weeks […] Almost everybody said they were really struggling with their weekly food shopping, let alone other needs people have. I had a male client that was a single man with his son, he said that he had to save money for about four weeks just to go and have a haircut for him and his son. Asylum support does not account for people's other needs other than food, people need clothes, the winters here can be quite cold and wet, people need rain proofs, and just simple things like a haircut. A lot of female clients who we interviewed said they were finding it quite difficult just to buy their sanitary things that females need. It is not sufficient; they live below the poverty line."

When asked the same question, Interviewee 3 was in agreement that asylum support levels are not sufficient as people cannot buy essential items, and cannot afford essential travel:

"It is absolutely not sufficient; they get something like £35 a week that has to cover their food, their clothes, their travel, toiletries. Women can't choose whether or not they have periods, or when they have them, and sanitary towels are expensive, they can't afford essential items. There have even been cases of landlords of NASS (National Asylum Support Service) accommodation exploiting them, they will fit a meter and tell them they have to top it up if they want energy, and it's things like that that they are faced with that they also can't afford. They need to be able to travel, I

knew a man who had some quite serious health problems and needed to see a doctor regularly but couldn't afford the bus, so he used to walk 7 miles to get there, once he even passed out while walking there and he decided to start walking back because the distance was less than continuing to the doctor's."

The cashless system: findings

When asked about the cashless system that Section 4 users are subject to, Interviewee 1 recounted the embarrassment his clients have experienced while using their Azure Cards, which leads to them not wanting to do their shopping as a result:

"The stigma around asylum is quite big, almost everybody has got an opinion on asylum […] Then they (asylum seekers) go to the major supermarkets and pay with the vouchers and then everybody knows they are asylum seekers. We had cases when the cashiers were refusing to sell them certain items and shouting loudly 'This is not for asylum seekers, you can't buy these kinds of things'. We have had clients literally in tears saying 'I cannot go to that shop anymore because it's just so embarrassing'. It's like labeling people as unwanted."

When asked the same question, Interviewee 3 stated that the cashless system is particularly damaging because it means that people cannot afford travel:

"The Azure Card system is barbaric, it's worse than Section 95, it means people cannot pay for travel at all. They cannot pay for over-the-counter medicine unless the major supermarket has a pharmacy in it. There are no immigration solicitors in Swindon, if a person is dispersed there and they cannot pay for travel to a solicitor they will be stuck in destitution because seeing a solicitor is essential to the asylum process. The impact is that people are destitute; they cannot afford essential things that they need. Mental health is a big one too, it's really damaging to feel so helpless, and physical health, because they cannot afford enough food and because there are so many barriers to them accessing healthcare as a result. The other impact is that people are open to being exploited, and even doing illegal work."

Interviewee 2 was not able to comment on the level of asylum support or the cashless system because the destitute asylum seekers that her organization supports are not in receipt of it. Although they are sometimes eligible, they remain destitute due to delays, and this organization supports them during this time:

"When people are entitled to support but are not actually in it there are delays, those delays we are actually covering. (It is) quite a lot of extra months, if you add those extra months up over a year that's another person that could be off the streets if they weren't delaying it."

Home Office Policy: findings

When asked if he believed that Home Office policy was responsible for destitution, Interviewee 1 explained that he did, because when someone's asylum claim is refused the Home Office will not support him or her:

"If they refuse somebody's asylum claim […] then the Home Office prevents them from getting any support, therefore people are directly being made destitute. The first thing people might have is being able to feed themselves, being able to fend for themselves and it's being removed from them."

When asked the same question, Interviewee 2 explained that an NGO currently pays for people to travel to Liverpool to make a fresh claim, but without this support people would remain destitute because (due to their low asylum support) they cannot afford to make the journey. Similarly, she stated that asylum support did not allow the means for people to travel to the police station to sign their name, which is also a condition of seeking asylum. This type of government policy means people must do these things to avoid destitution, but the destitution they already experience means they often cannot afford to:

"Currently in Bristol, […] Refugee Action pay people's train tickets if they have to go to Liverpool to give in their further

submissions, if they didn't people wouldn't be able to make a fresh claim, and therefore wouldn't be able to get out of destitution ever, because that's the way out."

"If a condition of people making a fresh claim is that they've been signing at the police station […] that person can't use the excuse that they haven't got any money to travel to Patchway police station to sign, because otherwise they can't make a fresh claim, otherwise they stay in destitution longer."

In addition, Interviewee 2 blames destitution on the Home Office policy of denying people support in cases of asylum refusal, under circumstances where they cannot return to their country of origin because there is no viable route.

"We're a project for people who are right at the end of the line, and our membership is 70-80% people with no viable route of return, so from some parts of Somalia, Eritrea, Iran, Iraq and so the majority of people who end up destitute long term are people who come from countries where there is no route."

Home Office practice: findings

When asked if he believed that Home Office practice was responsible for people experiencing destitution, Interviewee 1 explained that he does, because there are errors made at the Home Office level that refuse people protection, and therefore asylum support, but that these decisions are often overturned by the Court:

"There's loads of errors, […] asylum claims are being overturned at the appeal stage at the Court [from] the decision that has been made initially […] negative decisions being made at the Home Office are errors because the Court are saying that they are credible and grants them status, so there are a lot of mistakes being made."

Interviewee 2 agreed that errors at a Home Office level led to destitution unnecessarily, as negative decisions of her clients who are considered to be at the 'end of the road' were also frequently overturned at the Court, and in the meantime these people fall into destitution:

"So many of the people that are made destitute by government policy end up with leave-to-remain, from our experience […] Over 50%, the people that have come through (BHN) got leave-to-remain, and those are the people that apparently are at the end of the road and have no choice and should be going home. Well in the end they don't do they? They get leave to remain."

Additionally, Interviewee 1 held Home Office practice responsible for destitution when delays occur. Waiting for a decision takes weeks, and the Home Office often requires more information than initially requested. He also expressed the view that the Home Office purposefully delays decisions on support applications until Immigration makes a decision on the asylum claim, so that applicants are not supported during this time and remain destitute:

"If somebody applies for support they will leave people destitute for weeks and weeks while they make a decision to support somebody."

"What we've found lately, for the last two or three years, the delays have been justified by the Home Office officials, or immigration officials, that they need more information, although we've filled in 35-page-long application form and include every bit of information that they required, they still send another letter and buy another week or two for themselves, and not support people."

"There's one trend we've seen for a few years now, that if people apply for section 4 support, […] the support service within the Home Office try to delay their support for as long as they can until the immigration makes a full decision on people's asylum claim. That contributes to people's destitution."

Interviewee 3 agreed that delays at the Home Office level are a cause of destitution, not just when waiting for accommodation, but to rectify problems that prevent people from accessing financial support. She also made it clear that inconsistency in Home Office practice created problems for asylum seekers:

"Delays and Errors at the Home Office are causing destitution, because during this time they have no money and nowhere to go. I knew a guy who lost his Azure Card and it took weeks for them to replace it, and in the meantime they didn't send him any emergency vouchers. If it wasn't for the charitable organizations, what would have happened to him? And in some cities they don't have any refugee centers. It's not just mistakes and delays; it's also inconsistencies in Home Office practice that is resulting in people being made destitute."

Interviewee 2 also credits the Home Office's lack of information for people experiencing long-term destitution, because they do not know what they are entitled to:

"We've had people who have come back from Liverpool and have no idea they need to apply for Section 4 and years and years later, having been destitute totally unnecessarily, they find out they could apply, then because they haven't been applying for all that time the Home Office takes issue with the fact that they are applying now. Again and again those issues come up."

Interviewee 3 agreed that a lack of information is a source of destitution, because asylum seekers are not made aware of their entitlements.

"There is a lot of misinformation from the Home Office because people do not know what they are entitled to, […] in many countries welfare states do not exist, they do not automatically assume they are entitled to support."

The impact of Home Office policy and practice: findings

When asked what kind of impact Home Office practice and policy is having on asylum seekers, Interviewee 1 explained that it is leaving them without options, which leads to dependence on others:

"It's leaving people in limbo without any support and leaving them dependent on their friends who most of the time are asylum seekers themselves who live on very, very little. There is a huge solidarity between asylum seeking communities, whatever little they have, they try to share it with their friends."

When asked the same question, Interviewee 2 agreed that it is leaving asylum seekers without options, and is having a negative impact on their health and wellbeing. Interviewee 2 also asserted that asylum seekers are the only group in society to experience these levels of disadvantage:

"Somebody might start off in (the organization) who is an enthusiastic and capable person who used to run their own business or whatever they did in the country they come from, […] people who are left in limbo lose their capacity to sustain a positive mental outlook, it's just difficult. It expresses itself in all sorts of different ways, so for some people they become very chaotic, for some people they become very depressed, some people rampage around the city picking up cigarettes and beer from people and end up with addiction problems over time. Very few people manage to sustain a kind of ordinary human lifestyle of tending towards growth. There isn't anything you can do, you can't improve your life, you can't improve your choices, there isn't anyone else in that position in this society, it's just these guys. It's a form of slow torture."

Interviewee 3 asserted that the main impact is physical and mental health problems:

"It's a soul-destroying process, people are made to feel worthless, and like they have no way out. The main impact it has, other than the destitution, is the impact on their health, their physical health, but mainly their mental health. I would be very interested to see what the suicide rates are of asylum seekers, because I bet they are high. It's a soul-destroying process."

CHAPTER SEVEN: Analysis and recommendations

Introduction

This section analyzes the findings in terms of whether they offer support for the hypotheses. In addition, this analysis forms the basis for policy recommendations aimed at mitigating the issues identified.

Deterrence

The findings support my hypothesis that the negative narrative about asylum seekers and refugees in the media has given the government license to create a restrictive asylum policy, which has resulted in a deterrence based asylum support system that uses destitution as a tool to prevent people claiming asylum in the UK. This is evident through the professionals' accounts of the experiences of their clients, which indicate that destitution is used as a tool to prevent people from claiming asylum in the UK.

The statistics suggest that fewer people are choosing to seek asylum in the UK, as a result of the Government's decision to implement a deterrence-based system. However, the interview findings suggest that while deterrence is effective in preventing some people from coming to the UK, the professionals do not believe it deters people who are already in the UK. As a result, deterrence is only a form of punishment for those asylum seekers, because the deterrence-based system is shown to have a negative impact on the experiences of existing asylum seekers.

Deterrence: recommendations

By law, the UK is required to grant a person protection and provision to avoid destitution if they are fleeing persecution (Bales, 2015, p. 249). In order to achieve this, it is necessary to provide all asylum seekers with an adequate level of asylum support, even those refused asylum but remaining in the country, given that these people often eventually gain refugee status. Asylum support must amount to adequate provision to avoid destitution. Purposely restrictive policy must be rejected in order to protect vulnerable people.

Level of support

The interview findings also support my second hypothesis that the level of support available to asylum seekers (Section 95 and Section 4) is insufficient, in that people lack the means to provide themselves. Evidence for this comes from reports of recipients' inability to afford food, clothes and essential travel. This forces applicants into a no-win situation, since travel to essential appointments is often a condition of asylum, and in turn the route out of destitution. This has an adverse effect on vulnerable asylum seekers, including children and babies, and can result in physical and mental health issues. In addition, the cashless Azure Card system is deepening the stigma attached to asylum seekers, resulting in embarrassment and anxiety among users, which may deter them from doing their essential shopping.

Level of support: recommendations

The current rate of asylum support does offer provision to avoid destitution, so the level of support available for those in receipt must be concurrent with mainstream benefits to allow such individuals to meet their essential living needs, including dietary needs, clothing, travel, sanitary products and essential travel. In addition, the rate of asylum support must rise with the cost of inflation to ensure these needs continue to be met.

Those on Section 4 support are systematically demonized for being refused asylum. However, as the research demonstrates, they frequently gain leave-to-remain, so punishing them through the cashless system is futile and damaging. Section 4 users should not be forced to use the Azure card, but instead all asylum seekers should be entitled to one form of asylum support, and should be in receipt of cash. This would help individuals to avoid destitution by (a) allowing purchases to be made in cheaper retailers instead of major supermarkets, (b) allowing the purchase of medicine when necessary, and (c) enabling essential travel in order to pursue asylum claims. Additionally, this would prevent the stigma and unwanted attention that is attracted by using the Azure Card.

Home Office policy

The interview findings also support my hypothesis that Home Office Policy (including not supporting refused asylum seekers, and holding unreasonable travel expectations for destitute asylum seekers) results in homelessness and destitution among asylum seekers.

Interviewees confirmed that refusal to support failed asylum seekers is a source of large-scale destitution, because refused asylum seekers do not always leave the UK, and without support they are extremely vulnerable to falling into destitution. This is particularly striking when these cases are often overturned at the appeal level, demonstrating that many credible asylum seekers are being forced into destitution.

Furthermore, Home office policy was found to be causing destitution by requiring unreasonable travel expenses (both to Liverpool to make a fresh claim, and to the police station to sign) when asylum seekers are either in receipt of a very low amount of money, an Azure card that does not allow travel payments, or no money whatsoever. These travel expectations were shown to be a contributing factor to destitution, as some people are unable to make these journeys and so are unable to pursue their asylum claim, and therefore are unable to find a way out of destitution.

Home Office policy: recommendations

By accepting that many of those refused asylum may eventually be granted refugee status, it is reasonable to argue that these people should be in receipt of support in the meantime, so as to meet the legal requirement stated above. Therefore, the Home Office should provide support for all asylum seekers, and this should not be terminated as soon as an initial claim is refused, because this often results in the unnecessary destitution of credible asylum seekers. In addition, travel to Liverpool is expensive and challenging for many. Asylum seekers should be able to submit their fresh claims in other locations in the UK. Perhaps centers in the South, Central and North regions of England could mitigate this issue, in order to reduce the risk of destitution.

Home Office practice

This research also supports my hypothesis that Home Office Practice is directly causing destitution as a result of (a) errors in asylum decisions that restrict people from accessing support, (b) delays in asylum support decisions that leave people in limbo for long periods of time, and (c) a lack of information that results in ignorance about entitlement to support. Evidence for such mistakes comes from interviewees' accounts of numerous cases of refused asylum seekers having their decisions overturned by the Court, following long periods of destitution.

Home Office practice: recommendations

It is beyond the scope of this project to determine why there is so often a disparity between decisions made by the Home Office and by the courts. However, to prevent destitution occurring in such situations, it is necessary to provide refused asylum seekers with support while they pursue their asylum claim. By implementing two different types of support (Section 95 and Section 4), people tend to become destitute first upon their refusal, and again on their refusal. If one type of support covered the period from arrival to either return, or leave to remain, this problem would be mitigated. An alternative solution would be to give people longer than 21 days once their support is terminated to apply for Section 4, and to allow people to apply for Section 4 more than 14 days in advance of becoming destitute to give them more time to avoid destitution. The former solution may be preferable as one uniform type of support would be less time consuming and costly both for administrators and for recipients, and may therefore be more effective in preventing destitution.

Delays in support decisions are a source of long-term destitution. To prevent this, the Home Office should implement a mandatory timescale for decisions, and should also include clear guidelines on the application forms so that they do not later need to request further information, which delays the process further. The Home Office must not permit inconsistencies in their decision-making: they must operate according to agreed criteria, and these should be implemented fairly and consistently.

The Home Office should inform all asylum seekers that they are entitled to support, and how to apply for it, as soon as they have their screening interview. It is not necessary to automatically apply for support on behalf of every individual, as they may have support networks that they would find preferable as a means of support, particularly when the alternative is to be dispersed on a no-choice basis. In addition, the Home Office should automatically apply for Section 4 support for those refused asylum under circumstances where they have submitted a fresh claim, or where there is no viable route of return to their country of origin. Alternatively, one type of support that continues throughout the process would be preferential to mitigate the issue.

CHAPTER EIGHT: Conclusion

The media gives the impression that asylum seekers are a threat to our Welfare State. However, the reality is that the State is a threat to asylum seekers. People who have fled persecution are systematically discriminated against due to their citizenship status, despite their legal entitlement to seek protection in the UK. The system of deterrence is directly responsible for causing destitution and this in turn causes physical and mental health problems among asylum seekers, whilst also making their long-term integration a more challenging and costly process.

Throughout the last three decades, immigration and asylum policy, including asylum support, has become increasingly restrictive, due to the media's portrayal of asylum seekers and the Government's desire to appear tough on immigration. As a result, people are unable to properly feed and clothe themselves and their dependents, and experience long periods 'in limbo', unable to leave the UK and forced into destitution. Provision for babies amounts to £3-£5 a week, which will not buy a box of formula and nappies. People have no choice but to walk for miles with their suitcases to sign at the police station, for fear they might be detained. Asylum seekers who have managed to build a support network often find it demolished when they are dispersed to the other side of the country away from friends, doctors and teachers. Those made homeless by the support system may spend hours each day queuing outside homeless shelters to secure themselves a bed. For some, who have slipped out of the system, homelessness and total destitution is an everyday reality that there is no escape from: the alternative is to return to persecution.

This is a heartbreaking reality for anyone, but it is shameful that our Government purposely exercises this kind of punishment on people who have already fled the worst imaginable conflicts, who have been raped, tortured, imprisoned, and whose only wish is to be safe. The asylum and asylum support systems are failing vulnerable human beings. In order to mitigate these issues, an overall change in policy towards asylum is necessary, primarily at the Home Office level.

Further research

The research completed for this project addresses only a subset of the issues with asylum policy in the UK. The objective of this project is to provide evidence demonstrating the bleak reality of destitution among asylum seekers, which in turn provides evidence that the UK is failing in its legal obligation to grant protection and provision to avoid destitution to individuals fleeing persecution (Bales, 2015, p. 249).

Further research is necessary to fully understand the extent of destitution among asylum seekers, not only those who are in receipt of asylum support, or who are in transitional stages, but those who have completely fallen out of the system and are open to homelessness, illegal activity and exploitation. In order to fully understand the problem of destitution among asylum seekers, a substantial amount of research is required to record data on those who have entered the UK and claimed asylum, and those who have left the UK upon refusal, which would allow researchers and policy makers to gauge the true number of those who have not been granted protection but have not left.

Finally, large scale quantitative data needs to be gathered on the experiences of asylum seekers concerning the sufficiency of asylum support and Home Office policy and practice, in order to learn more about the causes of destitution.

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