

UK Public Policy affecting Women Seeking Protection  
and Migrant Women with No Recourse to Public Funds

# Policy and Advocacy Casework Report 2024



*Baobab Women's Advocacy*

# About Baobab

Baobab Women's Project is a Community Interest Company (CIC) that works with refugee and migrant women in the West Midlands. The project originated from a discussion between an experienced advocate for migrant justice, and women who had experienced destitution after being refused protection. Several conversations later, it became clear that there was a significant gap in the provision of gender-sensitive care for women trying to navigate the UK's complicated immigration system.

As such, our CIC's mission is to support refugee and migrant women in the UK to acquire residence, housing, employment and an understanding of their rights and responsibilities in the UK while being treated with dignity and respect. We take pride in the fact that our activities are steered by refugee and migrant women, and that their voices and opinions are given equal weight in our decision-making processes. Above all, we believe that everything we do stems from the solidarity we share with women undergoing a difficult time while settling in the UK.

Our focus on community advocacy, works with women to facilitate their access to health services, housing, and assistance with money and legal issues. Many of these women will have experienced domestic violence, trafficking and other forms of gender-based violence. We engage with newly settled women to build their financial resilience, empowering them with the skills to find employment, take control of their earnings and expenses, and seek support with bills and utilities where needed. We run a weekly drop in and advice line and have a number of interpreters who enable women to communicate in various languages.

We are a CIC rather than a charity, which allows those delivering services to respond, reflect and develop their projects, while listening to the views of women we work with. As a CIC, we can work nimbly and with greater efficacy to support women without being encumbered by bureaucratic delays. We value the contribution of women with lived experience, ensuring their participation as board members, employees and volunteers. As a result, the services we provide are co-designed with those who have personal experience of migration and gender-related hardship in the UK. We work in collaboration with many amazing people and organisations that support refugees and migrants. These partnerships are key to delivering quality support and social change.

# Policy and Advocacy Casework Report 2024

UK Public Policy affecting Women Seeking Protection  
and Migrant Women with No Recourse to Public Funds (NRPF)

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*Baobab Women's Advocacy*

# Acknowledgements



The report was co-authored by women with lived experience of irregular status in the UK immigration system, whom we feel are best placed to help others understand the We are honoured to have worked in solidarity with Women with Hope who facilitated group discussions with the women who contributed their insights to this report.

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# Contents

<b>Introduction</b>	<b>4</b>
<b>Key Issues with Processing Asylum Claims</b>	<b>6</b>
Screening Interviews	8
Substantive Interviews	9
Trafficking Survivors	9
Funds for Travel to Interviews	11
Wait Times for Asylum Decisions	11
Documentation after Status Grants	12
Recommendations	13
<b>Accommodation and Support Issues</b>	<b>15</b>
Information about Asylum Support	16
Support Rates	16
Issues with ASPEN Cards	17
Living Spaces for Families	18
Transport to Accommodation	18
Accommodation Standards	19
Accommodation Checks	20
Evictions Following the End of Asylum Support	20
Recommendations	22
<b>Legal Advisers, Interpreters and Presentation of Claims</b>	<b>23</b>
Securing Legal Aid for Initial Asylum Claims	23
Re-Traumatisation During the Fresh Claims Process	26
Interpretation	26
A Culture of Disbelief	27
Preparation for Appeal Hearings	27
Impact of Refusal on Asylum Seekers	28
Recommendations	30
<b>NRPF, Domestic Abuse and Living Undocumented</b>	<b>31</b>
The Migrant Victims of Domestic Abuse Concession (MVDAC)	33
Recommendations	34
<b>Healthcare, Mental Wellbeing and Education</b>	<b>35</b>
Accessing Healthcare	36
Consideration for Healthcare Needs During Dispersal	37
Access to Education	38
Recommendations	39
<b>Influencer's Reports</b>	<b>40</b>
<b>Conclusion</b>	<b>47</b>
<b>Appendix</b>	<b>49</b>

# Introduction



**This report discusses the main advocacy and policy issues that have emerged from our Barrow Cadbury funded project work with women living as asylum seekers or undocumented migrants in the UK. The aim of the report is to identify good and bad practice in ensuring the welfare of these migrant women, and to make recommendations that will improve women’s experiences as they navigate the immigration system.**

*“Our recommendations can be summarized into a basic ask, grant women papers so they can live their lives as soon as possible. Give them permission to reside, work and support themselves independently.”*

The main client group this project worked with is women seeking protection through the asylum system, but we also support undocumented women with No Recourse to Public Funds (NRPF). Almost all the women we work with are survivors of sexual and gender-based violence (SGBV), exploitation or communal and familial abuse often both abroad and in the UK. We assisted 74 women through this project; 58 of them transited through the asylum system, while 16 women had NRPF. This report is based on data from Baobab’s casework and discussions with clients. Our recommendations have been developed with the participation of women with lived experience of insecure immigration status within the UK immigration system. We have employed women with lived experience as influencers who research, discuss and lobby the Home Office on improving the system, and interpreters who support those without fluency in English to articulate their needs and their stories.

Our recommendations can be summarised into a basic ask: to grant women secure immigration status so they are free to live their lives as soon as possible. With the permission to reside, work and support themselves independently, they can create a space for themselves to process the trauma they have experienced, and build a good life in safety as every human being deserves.

## Introduction

A recent report by the Women and Equalities Committee<sup>1</sup> (2023) details how survivors of SGBV experience additional risks under the Home Office management of the asylum system. It gives concrete examples of how the Home Office can mitigate unequal effects for women in relation to processing, evaluation of services, legal aid, and support, these are recommendations we strongly support. We strongly support the Committee's recommendations.

We have found that in policy documents, the government stance is gender-sensitive, clear and detailed. It responds to sector lobbying and has delivered improvements based on evidence-backed research. For example, according to ASAP<sup>2</sup>, the Domestic Abuse Policy<sup>3</sup> was improved with significant and positive differences in 2019. However, in practice, procedures designed to safeguard women and mitigate against further harm are not always properly implemented.

Meanwhile, the Government is passing increasingly hostile laws aimed at reducing overall migration, the latest being the Illegal Migration Act which, according to the Refugee Council 'will mean that anyone who arrives irregularly into the UK will have their asylum claim deemed "inadmissible"'. This policy was deemed by the Supreme Court to be unlawful in November 2023. However, at the time of this report's publication, an almost two-year-long legal battle involving the European Court of Human Rights and the UK Supreme Court has unfortunately culminated in the passing of the Safety of Rwanda deportation bill. The Prime Minister claims that the removal to Rwanda of thousands of migrant men and women who arrived in the UK after January 2022 is a deterrent against smugglers who enable these people to cross the Channel by small boats. However, reliable accounts from advocacy groups like the Migrant Rights' Network and Freedom from Torture have testified to how these mass arrests do not prevent asylum seekers from seeking safety in the UK. Such raids only force people underground away from support systems, and re-traumatise them.

*"We hope this report amplifies the voices of the women we work with, while contributing to the knowledge already available, to bring about improvements in policy and practice."*

The impact of the Government's draconian policies on our beneficiaries is still uncertain and beyond the scope of this report, but we are extremely worried that state hostility will only increase the hardship and risks facing women with irregular migration status. The issues facing women are varied and complex. These cases reflect a drop in the ocean of the thousands of asylum claimants and women with NRPF. While not claiming to represent all experiences, our findings are supported by experiences across the sector and the wider evidence base. We hope this report amplifies the voices of the women we work with, while contributing to the knowledge already available, to bring about improvements in policy and practice.

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<sup>1</sup> Women and Equalities Committee (2023) Equality and the UK asylum process, Accessed Dec 2023, <https://tinyurl.com/6ydzfkwd>

<sup>2</sup> Asylum Support Appeals Project (ASAP) (2020) Asylum Support for Survivors of Domestic Abuse Factsheet 18 <https://tinyurl.com/4e4mnmcb>

<sup>3</sup> Asylum Support Appeals Project (ASAP) (2020) Asylum Support for Survivors of Domestic Abuse Factsheet 18 ibid

# Key Issues with Processing Asylum Claims



**The Home Office publishes data on pending asylum applications quarterly. These statistics are regularly analysed by both the Migration Observatory at the University of Oxford and the House of Commons Library. These sources, compiled over the course of the year, collectively provide a snapshot of the main challenges emerging from the process of asylum.**

*“Critically, the Migration Observatory cites several sources such as the British Medical Journal, UNHCR and the Home Office itself in stating that the huge backlog of applications and slow decision making have serious consequences..”*

- 75.7% of 165,411 asylum applicants<sup>1</sup> were awaiting an initial decision as of September 2023, a 7% increase from the previous year;
- 5,100 asylum applicants<sup>2</sup> were awaiting the outcome of an appeal in June 2023, and around 41,200 people were subject to deportation;
- 84% of asylum applicants had been waiting for more than six months by the end of the year ending March 2023.

In addition, according to the Migration Observatory at Oxford<sup>3</sup>, general trends pertaining to the processing of asylum applications over a decade from 2012 to 2022 include:

- A steadily growing backlog of asylum applications: in 2012, 87% of total applicants received notice of an initial decision or withdrawal, while the equivalent figure for 2022 was just 31%;
- Decrease and slowdown in decisions made on asylum applications: While there has been an increasing volume of asylum applications over the years, the average number of decisions made per Home Office caseworker has also declined. In the year ending March 2016, each caseworker made an average of 101 initial decisions. In comparison, in the year ending March 2022, the analogous figure was 24 initial decisions per caseworker. This means that the decisions made by the Home Office has slowed down

<sup>1</sup> Home Office (2023), <https://tinyurl.com/4e3thxv3>, accessed Apr 2024

<sup>2</sup> House of Commons Library (2024), <https://tinyurl.com/mpbbtn33>, accessed April 2024

<sup>3</sup> Migration Observatory at the University of Oxford (2024), <https://tinyurl.com/2syhef6j>, accessed April 2024



## Key Issues with Processing Asylum Claims

by 75% over a decade, even though there are now twice the number of caseworkers than before.

- Steep increase in wait time for an initial decision: in Q2 of 2014, 87% of asylum applicants received an initial decision in under six months. That percentage has dropped consistently overall, with just 10% of applicants receiving initial decisions in Q2 of 2022.
- A variety of issues contributing to the backlog: High staff turnover, low morale, inadequate training, difficulties caused by a drop in face-to-face interviews during the COVID-19 pandemic and new Home Office rules on 'admissibility' that aim to remove asylum applicants to a 'safe third country' are all suggested as factors that may have caused the increase in the backlog.

Critically, the Migration Observatory cites several sources such as the British Medical Journal, UNHCR and the Home Office itself in stating that the huge backlog of applications and slow decision making have serious consequences. These include the exacerbation of stress, anxiety and social exclusion for asylum seekers, as well as the increasing financial cost to the government incurred in providing asylum support for those waiting. The Migration Observatory also found evidence that shorter asylum waiting times vastly improve the long-term employment outcomes for those with successful applications.

To address the backlog, the Prime Minister said in December 2022 that the government would 'abolish the backlog of initial asylum decisions by next year'<sup>4</sup>. To this end, the latest Home Office statistics indicate that significant progress has been made in cutting what the government calls the 'legacy backlog', defined as all claims made before 28 June 2022. As of 28 December 2023, there were 4,537 cases left in the legacy backlog, just 5% of the number of cases on 31 December 2022. In addition, the total asylum backlog has decreased by 27.5% from 135,959 cases over the course of the same period.

*“From Baobab’s experience, until July 2023 when the Illegal Migration Bill was passed, much of our caseload that involved supporting women during the process of claiming asylum seemed to come to a standstill in terms of grant or return decisions.”*

From Baobab’s experience, until July 2023 when the Illegal Migration Bill was passed, much of our caseload that involved supporting women during the process of claiming asylum seemed to come to a standstill in terms of grant or return decisions. We believe that this stasis was in part due to government resources being diverted from case processing to implementing new asylum rules. As well as processing Afghan and Ukrainian refugee resettlement scheme papers. However, in the last 9 months, we have seen many women getting interviews and decisions on their asylum claims. This is very encouraging and has alleviated some of the stress associated with waiting. We hope that the Home Office will continue building momentum in processing the remaining asylum backlog in a just and efficient way.

The efficient processing of claims allows women to navigate their lives in the UK more confidently. It also reduces the stress and anxiety of being in limbo, with little opportunity to pursue activities that enable them fully participate in society, such as work or study. Delays in processing asylum claims have a negative impact on the mental and physical wellbeing of applicants, with research demonstrating that these ramifications are worse for women<sup>5</sup>. Women want to see an ongoing, functional system that considers claims in a fair and timely fashion. In addition, once asylum is granted, they should be given the correct documentation to enable move-on processes to unfold smoothly.

We strongly believe that a fully functioning immigration system should be responsive to the needs of survivors of sexual and gender-based violence (SGBV), and work in partnership with the voluntary sector to do this. Many of the displaced women we support have experienced some form of SGBV during the journey here, whether it is in their country of origin, along the route to sanctuary, or in other countries where they have temporarily sought refuge. Unfortunately, a significant number of our beneficiaries have told us that they feel unsafe and have been vulnerable to further SGBV in the UK immigration system. We believe that migrant women who have undergone SGBV should be able to share their experiences without being

<sup>4</sup> UK Parliament (2023), <https://tinyurl.com/pjk5zztn>, accessed April 2024

<sup>5</sup> Phillimore, P. and Cheung, S.Y. (2021), Science Direct, <https://tinyurl.com/mufpfu6a>, accessed April 2024

required to repeatedly relive past trauma. They should also be able to access the help they need during the asylum process, and avoid further instances of SGBV in the UK.

The Home Office has produced a number of publications to guide casework practices and decision making. These include Asylum Interviews<sup>6</sup>, Gender issues in the asylum claim<sup>7</sup>, The Assessing Credibility and Refugee Status guidance<sup>8</sup>, Medical Evidence in Asylum Claims<sup>9</sup>, and Medical claims under Article 3 and 8 of the European Convention of Human Rights (ECHR)<sup>10</sup>. We have found that when SGBV is reported during their claim for protection, women are often dismissed. Often, these experiences are not taken into consideration by decision makers. As a result, claims are unfairly refused, and new claims need to be submitted. This not only overloads the asylum system but requires that women must relive their experiences repeatedly, worsening their trauma. In the appendix to this report, we have included an important article about the need for a trauma-informed approach to women's asylum claims, published as part of the Iris Anthology.

**“Women reported both positive and negative experiences relating to the processing of asylum claims.”**

Women reported both positive and negative experiences relating to the processing of asylum claims. We ran workshops at Women with Hope, a grassroots-led charity focused on improving the lives of asylum-seeking and refugee women, and with our own Baobab influencer group to discuss what needs to improve in terms of asylum processing, which has shaped our recommendations. Over the years, our partnership with Women with Hope has been very fruitful, and we have many shared members and activities.

Below, we address various aspects of the processing of asylum claims, and include our recommendations at the end.

### Screening Interviews

Screening interviews are the first point of contact with the Home Office when an applicant puts in a claim for protection. They can then access housing and financial support as an asylum seeker. Delays in scheduling screening interviews can leave claimants destitute.

*Our beneficiaries reported wait times for screening interviews ranging from three days to seven months. Interviews took place in Croydon, Liverpool or more locally in the Home Office Centre in Solihull. In an extreme case, one woman waited seven months for a screening interview, although she had already been given emergency asylum support after presenting herself at a police station on arrival in the UK with COVID-19.*

Asylum support is only granted once screening has taken place, and delays while waiting to claim asylum can leave women destitute. The Home Office funded advice service for asylum seekers delivered by Migrant Help has confirmed with us that women cannot receive asylum support prior to their screening interview. We often process emergency grants so that women can get essential items and food. When women are dependent on community support, they report feeling desperate and vulnerable to abuse or exploitation. Women have reported working in underground economies in return for shelter or food, often for long hours and in bad conditions. More recently, we have been working with Women's Aid. We have found that many undocumented survivors of domestic abuse later choose to claim asylum due to their need for protection, and end up experiencing destitution. Often, they are unable to access help for weeks before their Home Office interviews. Access to pre-screening asylum support has been provided to some people assisted by Refugee Action; however, this is only available to people accessing their services.

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<sup>6</sup> Asylum Interviews, Home Office Guidance (2022), <https://tinyurl.com/yc5b8zsj>, accessed Dec 2023

<sup>7</sup> Gender issues in the asylum claim, Home Office Guidance (2018), <https://tinyurl.com/bdfekk85>, accessed December 2023

<sup>8</sup> Accessing Credibility and Refugee Status Home Office Guidance (2023), <https://tinyurl.com/2td27ja5>, accessed December 2023

<sup>9</sup> Medical Evidence in Asylum Claims (2022), <https://tinyurl.com/2968ffe4>, accessed December 2023

<sup>10</sup> Medical Claims under Article 3 and 8 of the ECHR (2020), <https://tinyurl.com/4smjx73y>, accessed December 2023

### Substantive Interviews

According to the Home Office website, asylum interviews ‘usually take place soon’ after the screening.<sup>11</sup> In reality, it usually takes a long time to schedule interviews and make decisions on cases, with beneficiaries reporting waits ranging from three months to over five years. This means women are forced to place their lives on hold while living in frequently inadequate accommodation, and struggling with low asylum support rates (£6.77 per day in dispersed accommodation) and extreme isolation. During this period, women also report worsening mental health from unresolved past trauma, and re-traumatisation from their daily experiences in the asylum system.

*Dana has 1 child and a husband in her home country. While she is safe in the UK, they remain at risk. Her husband has been visited by the authorities in her country and threatened with being charged for her Christian practices. Before she fled to the UK, she had been detained and abused by the police. She is anxious, depressed, and constantly cries. She tries to keep busy with activities such as learning English, but it does not help her, as she worries about the safety of her family all the time and is all alone in the UK.*

**“Women also reported inadequate childcare provision during interviews, which meant that young children were in the room when their interviews were taking place.”**

Women also reported inadequate childcare provision during interviews, which meant that young children were in the room when their interviews were taking place. Not being able to concentrate on the questions meant they felt they were giving conflicting or incomplete answers. Moreover, most women do not want to give details of abuse in front of children. This is widely accepted to be bad practice, and creates unsafe conditions for disclosures, for both the mother and child. This problem is compounded by the fact that women feel that rescheduling their interviews due to the lack of childcare will only delay them from being given protection. The Asylum Interview<sup>12</sup> guidance (17:2022) states that women should not give evidence in front of children, and creche facilities are provided if they contact the Home Office before the interview. However, the availability of childcare is often not something that is made clear to the applicant.

The new questionnaire for people from five countries – Afghanistan, Eritrea, Libya, Syria and Yemen – allows women to detail their need for protection and have their claims decided without a substantive interview. Women we spoke to want the opportunity to complete the asylum questionnaire no matter what country they are from. Notwithstanding this, an entry on the Free Movement Blog<sup>13</sup> also raises questions about whether this new asylum questionnaire is fit for purpose, listing issues around its complexity and vagueness.

### Trafficking Survivors

Women who were trafficked to the UK and sought asylum after have reported not having their entitlement to support recognised via the National Referral Mechanism (NRM), the government’s official system for identifying victims of modern slavery and trafficking. As such, many survivors are prevented from accessing healthcare, education, and housing where they can be safe from their traffickers.<sup>14</sup>

We have seen that women who were trafficked are not always identified by the Home Office during interviews, and the assistance provided to them is not consistent. Currently there is no publicly available Home Office guidance on identifying trafficked women during their asylum interviews. To this end, Rights of Women have a useful document on Trafficking and Modern Slavery<sup>15</sup>.

<sup>11</sup> UK Visas & Immigration, <https://tinyurl.com/4a2bxbdt>, accessed December 2023

<sup>12</sup> Asylum Interviews, Home Office Guidance (2022), <https://tinyurl.com/yc5b8zsj>, accessed December 2023

<sup>13</sup> York, S. (2023), Free Movement Blog, <https://tinyurl.com/yck8h753>, accessed December 2023

<sup>14</sup> Stepnitz, A. (2012), Anti Trafficking Review, <https://tinyurl.com/nreb5s7e>, accessed February 2024

<sup>15</sup> Rights of Women (2017), Trafficking and Modern Slavery, <https://tinyurl.com/msfc27md>, accessed April 2024

*“We have seen that women who have been trafficked are not always identified by the Home Office during interviews, and the assistance provided to them is not consistent.”*

Early referral to the NRM was reported by women to be essential to their recovery and wellbeing. Those who were promptly identified as having been trafficked during their screening interviews mentioned that the Home Office asked about trafficking at the first available opportunity, and referred them to the NRM, where they were allocated a specialist support worker. The women then received counselling, support accessing a GP and health services, as well as housing and help with their child’s education. These positive examples show that the trafficking identification process can work well when the Home Office takes a more mindful approach in interviewing women.

On the other hand, many women are still not properly being identified by the Home Office as trafficking survivors. Women we met have reported getting information about the NRM from solicitors: for one woman, this was 18 years after trying to gain protection. Other women we have assisted only found out about the NRM more than 3 years after claiming asylum. Women whose experiences of trafficking are not identified can experience destitution, further domestic violence and SGBV due to their precarious circumstances, especially if they are refused protection.

Some women are referred into the NRM, but not allocated a support worker. They find themselves bounced around a difficult system struggling with past experiences of SGBV. This affects their ability to engage with the asylum system and recover from the trauma of adverse experiences.

Our influencers reported both positive and negative feedback with regard to accessing trafficking support.

### **Positive Feedback:**

*‘Women’s Aid caseworkers help, called Migrant Help wasn’t given counselling, but got private counselling from Women’s Aid (Salvation Army NRM Referral Route)’*

*‘When Home Office refused, say leave house, sent letter to stop support, but Women’s Aid did a letter and got support continued while preparing a fresh claim.’*

### **Negative Feedback**

*‘Solicitor offered trafficking help, but to remember not easy, close it in my mind, not explained why helpful for Home Office case, it makes too much stress when thinking, try to forget, not be reminded of the past’*

*‘Have Women’s Aid counselling, got to go over and over what happened, have to remember, I thing comes, then other things, I was really young, I don’t want to think about the past.’*

*‘I mentioned trafficking issues to the Home Office, as I did not know who to turn to, but they did not help me. I needed to be referred to the NRM immediately. Me and my family did not know who could help me, if we had more information, we would have got the support we needed.’*

## **Funds for Travel to Interviews**

People processing through the asylum system are expected to pay travel costs incurred for mandatory reporting or interviews, unless they have been granted Section 95 or Section 4 support, for pending and refused asylum seekers respectively. This means that those who are on Section 98 support, which the Home Office dispenses while processing their claims for Section 95, are not able to access regular funding for travel. In reality, it is those on Section 98 support who are most likely to need money for daily costs as they have recently arrived in the UK and have little or no support networks and language skills. Asylum seekers who have been refused protection are required to travel to Home Office centre’s regularly or to Liverpool to submit fresh claims when destitute and unable to work.

## Key Issues with Processing Asylum Claims

Funding for travel can be difficult to access, and women regularly end up footing the bill themselves or turning to charities for help. Given that a local full-day bus ticket is £4.50 and a regional train costs £7.80 from Coventry, this is a large sum of money for people seeking protection. In one instance, one of the women we were supporting was sent a train ticket that she couldn't use due to health reasons. She ended up having to pay for her own taxi with some help from us as she was desperate to attend her substantive interview in Liverpool.

## Wait Times for Asylum Decisions

*“Women report waiting between one and eight years to get an initial asylum claim decision. The Home Office website states: ‘Your application will be decided as soon as possible. It may take longer if it’s complicated’”*

Women report waiting between one and eight years to get an initial asylum claim decision. The Home Office website states: ‘Your application will be decided as soon as possible. It may take longer if it’s complicated <sup>16</sup>’.

For women who have been refused and who submit fresh claims, the wait can be even longer. We are working with two women whose claims have taken over 20 years, and they are still fighting for the right to protection.

The impact of years of waiting can be traumatising. We have supported women who reported having panic attacks and depression with the constant fear of deportation constantly hanging over their heads. They often cry in our offices, and have expressed suicidal ideation.

Being barred from employment while awaiting asylum also has a huge negative impact on the overall wellbeing of the women we meet. Many have articulated the desire to earn their own keep, contribute to society and not be reliant on the minimal state support they receive. From a socioeconomic perspective, it has also been conclusively shown that allowing all asylum seekers to work would save the UK a total of £6.7 billion each year<sup>17</sup>, while adding £1.6 billion to the annual GDP.

We asked our beneficiaries to explain why it is important for the processing times to be organized and efficient, and to describe how waiting in asylum has caused their mental health to deteriorate. This is what they said:

*‘Waiting makes it difficult, have bad dreams, makes you feel like prisoner, miserable, hopeless’*

*‘Short waiting times make you dream of life, taking the opportunity on time, move on easily, feeling lively, like part of the community (work, college, uni)’*

*‘I would like to be doing something, go to university, instead of looking at the four walls of the room’*

*‘Gives me depressions and health issues, high blood pressure’*

*‘This is very important because I have kids and they are not safe’*

*‘I can’t even remember my name, what should I do? My son is nearly 18, he thinks I don’t want him, I left him when he was young’*

*‘Not being allowed to work makes me feel like I don’t belong to society, I am not a person’*

*‘My son is not safe I left him 8 years ago with a family friend, she’s old and told him he must leave, he gets in trouble, he’s 16 now, I send him my £30 destitution money I get from charities, but he’s angry, I have to bring him to me. I don’t want to live anymore.’*

<sup>16</sup> UK Visas & Immigration, <https://tinyurl.com/4a2bxbdt>, accessed December 2023

<sup>17</sup> Blackall, M. (2023), iNews, <https://tinyurl.com/2vy2kzf3>, accessed May 2024

*'I cannot feed my children back home, this is why I need an interview, my eldest two are on the streets, I am so desperate I have to work, I have to send them something.'*

*'Depressed and frustrated, I want to go to university or college, but I have to pay and how can I pay when I'm not allowed to work'*

In contrast, when decisions were made on women's asylum applications promptly, they reported that they felt better, were able to manage their children's lives, could focus on bringing their children left abroad to join them in the UK, felt more confident about planning their next steps in life, and above all, arrived at a greater sense of belonging to their communities.

### Documentation after Status Grants

*"Depressed and frustrated, I want to go to university or college, but I have to pay and how can I pay when I'm not allowed to work."*

Women who are granted status have reported that due to the Home Office not sending correct documentation, or them not being given it due to inadequate legal representatives, they face eviction from their asylum support without move on options from the government, and have to wait for family reunion rights.

*Kadijah was granted Refugee Status and received her biometric residence permit, but not her status grant letter. The specialist project assisting with her move on advised they couldn't apply for Universal Credit or housing without this letter. Her solicitor had been ordered to close down by the Solicitors Regulation Authority (SRA), and when she wrote to the company managing their files to see if the letter had been sent to them instead, she did not receive a response to her repeated requests. We contacted the Home Office regarding her lack of status letter, asking them to postpone the eviction until they had given her this document. They upheld their decision to stop her asylum support until a Judicial Review was lodged, at which point they finally sent her status grant letter. Only then was she able to apply for housing and benefits, but this was very difficult for her as her eviction date had passed, and she was unprepared for the transition.*

*Helen was granted status and received her grant letter, but not her biometric residence permit. She had a photo appointment for the permit at the Home Office centre in Solihull. After around one month, they emailed her to say her photo was not appropriate, and she must upload a new one to her application. She sent this email to her solicitor, after her and Baobab chasing them several times, she was told she needed to upload the photo herself. She does not speak English, and has no access to her application reference in order to complete the upload. Her husband and children are at risk due to the current conflict in her country, and she is extremely worried about them. She is keen to start on a family reunion application but cannot until she gets her biometric card. We complained to the solicitors regarding their inaction on her behalf. They contacted the Home Office for a new appointment. This was given, and two months later she received her biometric and is now moving on.*

In contrast, when the process of issuing the correct documentation goes smoothly, asylum-seeking women are able to manage their lives with more reassurance.

*N was granted refugee status, and got her status grant letter and biometric card within two weeks. She had a Women's Aid support worker as she was getting support via the NRM. She got benefits and housing in place with a month and was happy to move on with her life.*

While talking to other organisations at network meetings to brainstorm solutions for women, we were told that the Refugee Migrant Centre (RMC) have developed a project that enables people to access benefits without providing their biometric card to the Department of Work and Pensions (DWP). We can refer women to them, but also strongly feel that asylum claimants should not have to rely on a charity project. Rather, every human being deserves the right to basic sustenance. Therefore, we urge the Home Office to prioritise ensuring that people get their documents soon after being granted status.

*“N was granted refugee status, and got her status grant letter and biometric card within two weeks.”*

### Recommendations

We have listed our recommendations that we feel will address the majority of the aforementioned issues.

#### For the Home Office

##### **Asylum questionnaire:**

We suggest that the questionnaire that is currently being issued to asylum seekers from five different nationalities should be re-structured such that it is clearer and easier to understand, and also made available to asylum seekers from everywhere.

##### **Asylum Help Leaflets:**

Migrant Help have many asylum resources available to people needing protection. Leaflets with links to their website, should be translated into a multitude of languages, with Home Office representatives distributing them at airports. The Home Office invested considerable effort in publicising the Homes for Ukraine scheme at ports of entry across the UK. This is laudable and we believe that there is no reason why the same support should not be shown to people of other nationalities fleeing war and political persecution.

##### **Screening Interview:**

Women who call the asylum claim intake line need to be given an appointment within a month. More importantly, they need to be told during this phone call what the screening interview will entail so that they are adequately prepared, instead of simply being asked to bring their IDs.

Travel expenses to these appointments should be provided by the Home Office. We spoke to women about the best method to provide tickets, and they have indicated that via email, text message or post all work for them.

Without tickets, some have reported begging for money to make it for their appointments. Asylum support should also be offered to people facing destitution when they dial the intake line for an asylum appointment.

##### **Substantive Interview:**

The Home Office should advise asylum claimants on how long the process takes so they can be prepared. It should be no longer than one year to get a substantive interview. We strongly recommend a best practice of six months from the time of the screening interview.

In addition, claimants should receive a final decision within one year of their interview, with the target being a time frame of six months. We ask that timings are respected and adhered to, and when they are not, that the applicant should be duly informed as to the reasons for the delay, and given realistic time scales to completion.

Childcare provision must be organised during interviews, so that disclosures can be made in a safe environment.

##### **Frequency of reporting:**

Some asylum seekers are being asked to report to the Home Office every week, or every two weeks. The frequency of reporting should be reduced to once every six months, as reporting regularly is costly for asylum seekers financially, emotionally and also makes them feel unnecessarily criminalised.

##### **Structural Issues:**

While the Home Office has already employed more workers to deal with claims, based on the statistics it has released, we believe that these workers need to be trained to work with more care, efficiency and with greater competence.

*“Childcare provision must be organised during interviews, so that disclosures can be made in a safe environment.”*

### **Compensation:**

If women are kept waiting for a decision for over a year, the Home Office should compensate them with an allowance of £15 a day, on top of usual asylum support payments; and give them the right to work, not restricted to the Shortage of Occupational Jobs list.

### **For Advocates**

We seek to continue providing up-to-date knowledge and support to help women connect to the Home Office. We will do this through regular conversations with our network of organisations for migrant justice, and by getting feedback from the women we assist.

### **For Women**

We recommend that women try their best to learn about how the asylum process works, complicated as it is, and to make every effort to attend scheduled appointments with the Home Office. For those who struggle, we hope to support them in every way we can.

Where women have health needs, we encourage them to show evidence to the Home Office so they are aware and can provide appropriate care during their interviews, and ask to stop if it becomes too much.



# Accommodation and Support Issues



**The Home Office provides asylum support in the form of accommodation and subsistence money to people seeking protection. Asylum support is granted under the law in Part VI of the Immigration and Asylum Act. The Home Office has also created various policies, for example the ‘healthcare dispersal policy’, for caseworkers to follow when granting support with specific needs.**

*“Asylum support provides rudimentary benefits for asylum seekers who are unable to support themselves, since they are unable to be in formal employment.”*

Currently, women seeking asylum who do not have a place to stay are offered two main types of accommodation. They are respectively the Section 98 Initial Accommodation (IA) hostels and hotels; and dispersed accommodation on a no-choice basis anywhere in the UK under Section 95 and Section 4 support. Across the country, Migrant Help takes applications and fields update queries from claimants, while in the West Midlands, SERCO typically holds the government contract to provide accommodation. Claimants who are able to seek out accommodation on their own can also apply for only financial assistance in their initial asylum claims.

Asylum support provides rudimentary benefits for asylum seekers who are unable to support themselves, since they are unable to be in formal employment. Current rates of support are £49.18 per week to cover food and essentials, or £8.86 if meals are provided with accommodation. While asylum support covers the bare minimum of the claimant’s living needs, it also creates destitution, dependency and exploitative, precarious living circumstances, particularly for single women refused protection status. We believe that giving asylum claimants only the basic essentials for survival while denying them of the right to carve out meaningful livelihoods for themselves is an act of cruelty, and which contravenes the British values of democracy and individual liberty.

Support processing and policy regarding dispersal and eligibility need to be urgently improved. In essence, what we hope to see is a change in the ethos of support that has been espoused by the government for decades: true humanitarian aid should not segregate asylum

seekers from the average citizen, but instead empower them to be fully contributing members of society. Especially given the current cost-of-living crisis and critical housing shortages, women should be able to exercise the right to work and use their skills and abilities, rather than be dependent on the Home Office. Giving limited leave and employment rights would enable women to support themselves and remove pressure off asylum housing.

This section of the report considers how accommodation and asylum support works for women in practice. Details on the current contracts from Asylum Matters are here<sup>1</sup>.

### Information about Asylum Support

*“Asylum support applications and queries are processed by Migrant Help, which sends them on to the Home Office. We have been told by many women that they experience problems applying for support.”*

Asylum support applications and queries are processed by Migrant Help, which sends them on to the Home Office. We have been told by many women that they experience problems applying for support, as they do not understand what is being asked of them. It can take many hours to get through to someone on the phone, with one woman spending over four hours on the line before she managed to speak with an adviser. Getting updates and decisions often takes a long time, and women are told that they can do nothing but wait.

Some claimants do not understand what they are entitled to, and what the Home Office is legally obliged to provide them with Home Office. There is even more confusion with regard to accommodation, with some asylum seekers being housed locally, while others are given notice of dispersal. The quality of accommodation is also inconsistent, with some urgent repairs being fixed while others are simply ignored. In addition, the Home Office’s housing sub-contractors are not contractually bound to provide advocacy for asylum seekers. For instance, Migrant Help advises what asylum seekers are legally entitled to, but does not challenge issues such as delays to the receipt of support.

To fill that lacuna in informing and empowering asylum seekers who have faced obstacles in acquiring support, refugee and migrant groups and charities have stepped in. Local and national forums exist where frontline workers can meet and discuss issues directly with the Home Office and housing providers. The Asylum Support Appeals Project<sup>2</sup> (ASAP) coordinates a national network of organisations helping asylum seekers with support issues, and many challenge asylum support issues on behalf of people. Deighton Pierce Glynn Solicitors<sup>3</sup> (DPG) has trained frontline organisations to prepare a pre-action letter to a Judicial Review, challenging decisions on behalf of the government. However, we believe that the Home Office can do more to ensure that basic information about support and what asylum seekers are entitled to is conveyed simply and effectively, in different languages.

### Support Rates

We have found that the asylum-seeking women we support are expected to live on less than other people on the poverty line, because the assumption taken by the Home Office is that they do not have bills and utilities to pay. At the point of writing, the Universal Credit<sup>4</sup> rate is:

‘If you’re single and under 25, £292.11 ; If you’re single and 25 or over, £368.74. For your first child £315 (born before Apr 17) £269.58 (born after Apr 17)’

Asylum Support<sup>5</sup> at a flat rate of £49.18 per person, with extra money made available weekly for mothers and young children. A pregnant mother gets an extra £5.25, a baby under 1 year old gets an extra £9.50, and a child age 1 to 3 gets £5.25. A single asylum-seeking woman gets £205 per month, whereas under Universal Credit, a single person receives between £311.68 to £393.45 in the same period.

<sup>1</sup> Launch of New AASC and AIRE Resources (2019), Asylum Matters, <https://tinyurl.com/35fxas6b>, accessed December 2023

<sup>2</sup> Asylum Support Appeals Project, [www.asaproject.org](http://www.asaproject.org), accessed December 2023

<sup>3</sup> DPG Law, <https://dpglaw.co.uk/british-red-cross>, accessed December 2023

<sup>4</sup> UK Visas & Immigration, Universal Credit, <https://tinyurl.com/3zbxp7ar>, accessed December 2023

<sup>5</sup> UK Visas & Immigration, Asylum Support Rates, <https://tinyurl.com/yh72hscs>, accessed December 2023

## Accommodation and Support Issues

In addition, an asylum-seeking mother of three children with one child under one is given £854 in asylum support compared to Universal Credit of £1,221.

The women we have spoken to struggle with the low-income rates. However, this is not their primary concern. Many have indicated that so long as they are getting some support and are not destitute, they can scrape by, but their children miss out on opportunities like school clubs, which they believe are crucial to their children's social inclusion. Those who are on Section 4 support find it even harder to get by, being unable to access cash, so they can buy food at culturally appropriate places and travel on the bus.

## Issues With ASPEN Cards

Women are given a card which stores the monetary assistance they receive through asylum support. This is called the ASPEN card.

*“Women have reported delays in receiving their ASPEN cards. Worryingly, we are receiving such reports from new asylum claimants and those getting section 95 and section 4 support .”*

Women have reported delays in receiving their ASPEN cards. Worryingly, we are receiving such reports from new asylum claimants and those getting section 95 and section 4 support. The asylum dispersal system is complicated, and people are moved between accommodations on a no-choice basis with little notice. Those who leave their accommodation and stay with friends or family receive only the subsistence element of support. In particular, they report lengthy waits before receiving their cards.

Migrant Help is contracted to act as the intermediary between claimants and the Home Office, offering 24/7 support with interpreter services. However, many women have reported not being able to access their entitlements, and face long delays or no response at all.

*Sara had been granted support but was waiting for her ASPEN card for nine months after leaving her initial accommodation to live with a partner. She contacted Migrant Help to update her address, and was told to send her documents and then wait. She waited six months, while regularly calling them for updates. Baobab intervened when she became pregnant, and after a community care challenge, she received the card. The initial amount loaded onto the card was removed as she was told she had been given too much. The compliance team never responded to emails asking about why this money was removed, which caused her a lot of distress.*

*In contrast, Beatrice was told by Migrant Help that it takes over a year for her Section 95 application to be processed, so she should just wait. Following a community care challenge and Pre Action-Protocol letter, she received support in weeks, as well as her ASPEN card granting Section 95 support (£8.86 a week in initial accommodation (IA) payments) until dispersal. This allowed her to get basic hygiene items and some new shoes, as hers had holes in the soles. It also allowed her to travel to activities and events, which resulted in improvements to her mental health.*

Some women in our influencer groups shared that their ASPEN cards cannot be used on the card reader in buses on the local West Midlands transport network, and they are unable to travel if they cannot withdraw cash. Other women have reported that their cards do work on the buses, and we found it is related to how recently the PIN has been used with the card. Nonetheless, we see an inconsistency with the usability of the card.

## Living Spaces for Families

Women with children are often sent to live in overcrowded conditions, with no autonomy over where they live. Some women have told us that they are made to feel as if the choice is between a substandard room or destitution. Those who already have children and are living in one room are often left in that small space when their families grow.

We had a referral from a health visitor about a woman with three children in one room.

We said we could advocate for a larger property, in line with local authority housing standards, but she did not want to raise the issue as she was scared that she would be sent

*“Women with children are often sent to live in overcrowded conditions, with no autonomy over where they live.”*

somewhere else in the UK. She did not want to be moved to a different city as her children were at school and she had created a robust support network. For her, overcrowding was preferable to being uprooted once again and forced to adapt to a foreign environment. Other mothers living in substandard accommodation implored us to help them move, but their applications took months to be processed, causing them considerable agony. Post-natal depression is a risk for women in this situation. We call upon the Home Office to ensure that women have homes that are fit for their families to inhabit.

The Asylum Accommodation and Support, Statement of Requirements<sup>6</sup> states: ‘shared rooms are appropriately sized for the number of occupants and that occupancy of a room shall not exceed that specified in the appropriate space standard, as set out in relevant legislation and/or in Local Authority licensing requirements’ (p. 90).

*Anna had had a C-section and found it immensely difficult to cook and care for the newborn and older child. She was in one room in a shared house. She regularly called our project in distress, and also called Migrant Help many times, feeling physically ill, isolated and alone. It took 11 months for her to be moved.*

*On the other hand, Agnes was offered a house with enough rooms, and which allowed the older children to play and learn in their bedroom space. She could cook safely in the kitchen without the children being under her feet and at risk of burns from the stove. The younger baby was in a bouncer in the living room, where she could see them while cooking.*

One of the women we support spoke about her distress regarding her accommodation:

*‘Even when settled they surprise us with moves, I’m in a house with three children, just over a year ago I was moved within local area, had to change nursery and GP. It was good, I could still get to my old support worker on the local bus network, I had two rooms, one for my elder two children, and one for me and baby. Then they came and said move to another city, I refused, I cannot register everywhere again, I don’t speak good English, I cannot fill forms, I don’t have any community there to help me, I feel homeless and hopeless’*

Communication is key when working with women so that they understand their options and can make informed decisions. Sadly the lack of autonomy and powerlessness when seeking protection, means they cannot make the decisions they want.

### Transport to Accommodation

We have found that the majority of women are not informed when they are being moved to new accommodation. A few women reported being ushered onto the transport without being told even where they were going, making them feel like they were being dehumanised with no control over their lives. Owing to poor communication between the Home Office and SERCO, they also sometimes miss the transport that has been organised for them. One woman we work with reported that she was threatened with having her new accommodation taken away if she failed to finish packing all her belongings and be at the pick-up point within 30 minutes. We have tried to assist in the past by emailing the safeguarding team at SERCO and requesting that they inform us of the date of travel and the pick-up point. This allowed us to better coordinate the women’s travel to their new accommodation. Nonetheless, we believe that the process for moving asylum seekers can be more organised to prevent causing unnecessary stress.

Some women receive a letter five days before they move notifying them of the pick-up date. If this happens, they can be in their accommodation, ready to be moved.

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<sup>6</sup> UK Parliament, Asylum Accommodation and Support, Schedule 2, Statement of Requirements, <https://tinyurl.com/428mnb6f>, accessed December 2023

## Accommodation and Support Issues

Recently, we have come across cases where women are being picked up by taxi, which is often a disorientating and baffling experience for them.

*Bridget had her Section 4 support approved, but she missed the first pick-up to her new accommodation as she was not advised of the moving date. On the re-scheduled pick-up date, she travelled in a taxi. She called us upon arriving at the new property to advise that she did not have a key and couldn't get in. Her lack of English meant we had to talk to the taxi driver to ask him to contact the person who had booked him. Another resident let her into the property. She called Migrant Help and we emailed the SERCO safeguarding team, asking them to attend the property and give her a key and a room. Later that evening she was told by Migrant Help to return to her previous charity house. Fortunately she still had her key to her previous accommodation. She was picked up again and moved two days later.*

*Rania had had a baby and was in hospital waiting to be allocated IA. The IA request was approved and we emailed them, along with the hospital, detailing her needs on discharge, including a discharge address and car seat. The first taxi that arrived to pick her up couldn't tell her the discharge location, so she couldn't go the first night. The second day, the Home Office sent a taxi without a car seat. After multiple calls to Migrant Help and Children's Services, the discharge address was given to the hospital, and the hospital staff paid for a taxi for her to get to her accommodation.*

## Accommodation Standards

**“We have written about subpar accommodation standards previously in our ‘Finally Safe’ Report Europe (2019). Unfortunately, five years on, the situation has not improved.”**

We have written about subpar accommodation standards previously in our ‘Finally Safe’<sup>7</sup> Report, co-authored with Meena, another CIC set up to support asylum seeking and refugee women in Birmingham, and Refugee Rights Europe (2019). Unfortunately, five years on, the situation has not improved. As part of this project, we contributed to a Duncan Lewis class legal action with 16 case studies demonstrating unacceptable health and safety violations at properties allocated to asylum seekers.

Issues women face include:

- Recurring bedbug, cockroach, rat infestations;
- Mould, falling down ceilings and flooded floors;
- Heating issues: no heating for days or weeks, which is very concerning for women with young children;
- Dirty carpets causing asthma and breathing difficulties, particularly among children
- Unsafe fixtures, for example windows that open wide onto the street and alarmingly with young children in the property

The occurrence of these issues is not the main problem, as we understand that they can be common with many houses. However, the reporting and fixing of these issues needs to be more efficient. Improving the previous G4S asylum support model was meant to make reporting more trackable under the new 2018 contracts led by Migrant Help. Women advise that they preferred G4S as they could talk to a real person. In contrast, when reporting to Migrant Help, they do not get feedback on the progress of maintenance fixing. Issues continually reoccur, are not fixed properly, and women are not updated on the progress of these repairs.

By tracking the resolution of cockroach and rat infestations as well as mould repairs, we know that some infestations are addressed by SERCO and housing officers. When we raise problems with SERCO around safeguarding risks. We are advised about treatments that have occurred, and actions that have been taken to address problems. When attending houses during home visits, we have come across maintenance logs posted by the front door that detail issues and repairs. On the whole, we believe that efforts to remedy problems with asylum housing have improved over the last two years.

<sup>7</sup> Finally Safe (2019), Refugee Rights Europe, Baobab Women's Project and Meena, <https://tinyurl.com/bp5rdx46>, accessed December 2023

*“On the whole, we believe that efforts to remedy problems with asylum housing have improved over the last two years.”*

When we raised maintenance issues with the Home Office, we were advised that we needed to report any property defects to an external organisation, which will then inform SERCO and prompt them to resolve the issue.

As a small organisation, we lack the capacity to properly track accommodation-related issues and report them. Evictions, lack of legal advice, violence occurring in the present and destitution are all matters of urgency that take priority over poor accommodation. We can step in to chase Migrant Help with phone calls and emails when women get no resolution after their own attempts to contact the relevant people to fix issues with their accommodation, but we are not able to track this systematically and compile useful data on repairs.

### Accommodation Checks

We have also been informed that it is common for male housing officers to enter women's rooms without prior notice.

*‘It’s difficult when housing officers, some male, come to my house without notice. Sometimes they come when I’m out because they have the keys to the house. This happens on a monthly basis’.*

*‘I have no privacy; they turn up at any time’*

### Evictions Following the End of Asylum Support

Many may assume that once asylum seekers have been granted the right to remain, their living situation in the UK becomes more secure, but this is often not the case. Asylum support ends for families once they are granted residence, and for all single people when their claim is decided or when they have exhausted all appeal rights. The end of asylum support is terrifying for women who have been refused protection, and often leads to exploitation and abuse as they have to depend on someone to provide for basic needs of shelter, food and hygiene items.

We refer to the ‘Will I ever be Safe? Women for refugee Women report<sup>8</sup> (5:2020) and call upon the Home Office to end the policy of enforced destitution. Destitution happens at various stages of the asylum process, not only when people finally get their stay or leave the UK.

*Flora was evicted from her section 98 asylum support when she was four months pregnant. She was assisted by a charity before getting section 95 asylum support once destitution had been proved. Two years later she is now a refugee.*

Those evicted when their asylum cases are positively decided are moved to local council or private rented accommodation. There are issues with the short time transfer, as detailed by Voit in an Oxford University Blog<sup>9</sup>. After getting the right to remain, women are thrust into a whole new world of difficulties with finding work, accessing housing and benefits, and establishing a home.

*Hana was granted residence and was evicted shortly after by SERCO, even though she had not received her biometric residence permit yet. Through Migrant Help, we received a response from the Home Office that her support had not been discontinued and SERCO’s safeguarding team confirmed this, but the housing officer changed the locks on her room and left a note for her to leave the property. At the point of writing, she is still in her accommodation, and was given a new key to secure her belongings two months after the Home Office confirmed that she would still receive support. To date, the SERCO officer continues harassing her to leave. Sadly, she cannot access homelessness support yet without her biometric residence permit.*

<sup>8</sup> Dudhia, P. (2020), “Will I ever be safe?”, Women for Refugee Women, <https://tinyurl.com/22zswftm>, accessed December 2023

<sup>9</sup> Voit, A. (2019), “28 Days: The Impact of the ‘Move on Period for Refugee Mental Health”, University of Oxford Faculty of Law Blog, <https://tinyurl.com/9uxhmwa9>, accessed December 2023

## Accommodation and Support Issues

*“For women who have been refused protection, the end of asylum support is incredibly difficult..”*

For women who have been refused protection, the end of asylum support is incredibly difficult. NACCOM<sup>10</sup>, the national charity providing accommodation and support for migrants facing destitution, has produced a plethora of reports on the subject. Below, women in our influencer groups describe their experiences of when, how, who helps and what happens with the end of asylum support:

*‘No support when the Home Office do not believe’*

*‘Accommodation provided but after refused home office kick you out’*

*‘Home Office make a lot of people homeless and hopeless. Other people like charities and kind house owners help but not Home Office’*

*‘I was chucked out my accommodation and support, I am the most vulnerable, and was exposed to all sorts of abuse sexually, especially when I was destitute’*

We appeal to the Asylum Support Tribunal (AST) in London when there are grounds for women to keep asylum support, and have won almost all of these appeals.

*Rita had lodged her Fresh Claim electronically, but it was not received due to an administrative error. This meant that she faced eviction from the property that the Home Office had allocated her. The tribunal ordered the Home Office to re-submit her case, and once her claim was successfully lodged, she was entitled to accommodation. However, during the time when the administrative error was being addressed, her housing officer threatened to call the police as she refused to vacate the property, having nowhere else to go. The administrative error caused her a large amount of fear and anxiety despite the fact that she had an ongoing entitlement to support, which the housing officer did not recognise.*

All the women we helped appeal to the AST had experienced SGBV and some torture. Many have now been granted refugee status, while others are still awaiting decisions on their cases.

A few women who were homeless in 2020 are still in housing run by charities, waiting to submit fresh claims for asylum. Once again, this is related to the speed at which legal advice is provided and the efficacy of the asylum process more generally. Taal in a Hope Projects Special Report<sup>11</sup> (2015) details the issues that destitute asylum seeking women faced 10 years ago, which sadly have still not been addressed. Below, we draw on quotes from the report:

*‘So, so difficult when you’re telling the truth and you’re being told your lying, very, very wrong, especially when people have been through a lot, they are damaging people worse’*

*‘Home Office don’t care what you are feeling they think everybody is lying’*

## Recommendations

We are optimistic that the bulk of the issues we described can be ameliorated when the relevant stakeholders discuss issues and take responsibility in the following areas.

### For the Home Office

#### **Dispense financial support more efficiently:**

Money needs to be processed quickly and in line with eligibility. It should be dated from application submission, with clear, working escalation routes, without the need for legal action when problems occur. The ASPEN card needs to be issued at the same time as dispersal and not later, so that asylum seekers are able to access support immediately.

<sup>10</sup> NACCOM, Resources, <https://naccom.org.uk/resources/>, accessed December 2023

<sup>11</sup> Taal, S. (2018), Hope Projects Special Report, <https://tinyurl.com/ybhkjb5b>, accessed December 2023

## Accommodation and Support Issues

*“We are optimistic that the bulk of the issues we described can be ameliorated when the relevant stakeholders discuss issues and take responsibilities...”*

### **Offer appropriate accommodation for pregnant women:**

This should be provided more than 11 weeks before the due date, ideally when the pregnancy reaches 12 weeks.

### **Communicate better regarding movement to and between accommodation:**

Written travel dates, by letter or text, must be given to women at least seven days before they are due to move. Information needs to be clearly written in both English and the language spoken by the asylum seeker.

### **Stop inhumane evictions:**

Women should not be evicted because their asylum case is refused. Many asylum seekers arrive in the UK destitute and with few other connections, and it is not reasonable to expect them to secure alternative accommodation that may be unsafe or leave them vulnerable to crime.

### **Backdate payments:**

The Home Office should backdate payments that asylum seekers did not receive due to errors in sending or processing ASPEN cards. We believe that missing months payments should be processed from the time of application, so that women are given the full amount they are entitled to.

## **For Accommodation Providers (e.g. SERCO)**

### **Give sufficient notice of room inspections:**

Housing officers should give women ample notice of room inspections, and better still, have them on a regular schedule.

### **Respect women’s spaces:**

No male officer should enter women’s rooms without prior notice.

### **Ensure that moving in and out is seamless:**

Accommodation providers must inform people of travel dates, and send staff to pick them up. Staff should have keys to the properties and licences for them to complete and provide appropriate transport for people travelling.

## **For Advocates**

### **Devise system for logging accommodation-related issues:**

We would like to receive more resources to give women the appropriate IT training to track issues with their accommodation. We would then use an online reporting tool to compile the data, and send it to the Home Office monthly to advise them of non-resolved issues. To this end, we plan to run focus groups, with the help of interpreters, to learn the IT skills needed for this logging process.

At these groups, we also hope to bring in a coordinator who can compile all the information that the women provide, and advise them on their rights and expectations in line with contract requirement time limits. Empowering women to report issues with accommodation is important, as some fear that raising concerns about their living conditions will jeopardise a positive decision on their asylum claims.



## Legal Advisers, Interpreters and Presentation of Claims



**When women enter the asylum system, their understanding of what asylum is, and the support they get from solicitors, is integral to them receiving protection. They rely on legal representatives to prepare statements, instruct the preparation of reports, find and present relevant information about their country of origin, and verify and submit evidence. Legal advisers and interpreters are the voices for those seeking protection, and they can make or break cases.**

*“Many women we see are initially refused protection because their verbal evidence is considered not credible, but are later granted refugee status on appeal.”*

Many women we see are initially refused protection because their verbal evidence is considered not credible, but are later granted refugee status on appeal. This is often after presenting evidence from an ‘expert’, be they a mental health or a country expert, which was not previously considered. Women are not believed until a professional legitimises their stories. Women tell us they face a culture of disbelief in their encounters with the Home Office, as their evidence is frequently challenged, or it is insinuated that they are lying. Home Office guidance on assessing credibility and refugee status in asylum claims states that taking evidence at interview is a ‘primary opportunity to clarify unclear statements or inconsistencies within statements’<sup>1</sup>. Some beneficiaries said this can feel accusatory rather than encouraging. When women were interviewed sensitively, they reported feeling good about having had the opportunity to explain their experiences. Here are some quotes from women who have come to Baobab:

*‘I felt awful during the interview because they did not respect me. The way they questioned was acute and direct, I couldn’t explain what I felt. Even though there was an interpreter, I did not know if the interpretation was right or wrong’.*

<sup>1</sup> UK Government (2023), Assessing credibility and refugee status: caseworker guidance, <https://tinyurl.com/2td27ja5>, accessed May 2024

*'I felt nervous, scared, afraid, I couldn't remember dates.'*

*'The same question is posed in different ways.'*

*'I was very stressed.'*

*'The interview was bad - pushed to talk about what happened. Pressured and scared'*

*'The interview was good, I felt optimistic and hopeful'*

***"We are facing an unprecedented shortage of legal aid solicitors in the West Midlands and beyond, and have constantly had to tell women who come to us that we know of no lawyer available to represent their case."***

We are facing an unprecedented shortage of legal aid solicitors in the West Midlands and beyond, and have constantly had to tell women who come to us that we know of no lawyer available to represent their case. Across the country, specialists in pro bono representation of asylum claimants are overworked with little respite. Worse still, when asylum seekers are in cities with a history of asylum and protection representatives, they face a mix of overloaded, incompetent or exploitative law firms. Laidman details how the legal aid system is broken on her Free Movement Blog<sup>2</sup>:

*'Legal advice and representation available is becoming so inadequate that it may breach the state's human rights obligations and will inevitably lead to significant miscarriages of justice. The underlying problem is that legal aid no longer provides a sustainable income for qualified legal providers and advocates'*

From what we have observed, the level of women's education, their communication skills, as well as their knowledge and understanding of the categories for obtaining protection, are all strong factors in whether they receive refugee status or humanitarian protection. This means that women who have been deprived of opportunities to develop an aptitude for understanding the asylum process are placed at a severe disadvantage. Furthermore, we cite evidence<sup>3</sup> that many aspects of the UK asylum system replicates structures of coercive control that women may have faced prior to submitting their claims, and this is experienced often in the temporary accommodation they have been offered, or directly during interactions with the Home Office. Lack of reliable legal aid only worsens this coercive control.

The Right to Remain Toolkit<sup>4</sup> and places like TACTIC<sup>5</sup> that provide training and resources to people seeking protection are a lifeline. Women need to be the directors of their own cases, accessing information on asylum and human rights law can help make women better informed, and therefore more able to work with solicitors and the Home Office. We believe that the legal system has a moral and humanitarian responsibility to provide the professional advice that women need to navigate the complicated bureaucracy that defines the immigration process.

### Securing Legal Aid for Initial Asylum Claims

We have found that women who came to the UK on visit, spouse or other entry visas can need legal advice before they claim asylum, in order to establish if they have a need for protection and should take this legal route to settlement. We usually see women at the point that they are made destitute, or when a relationship has broken down. At this juncture, any advice is provided by Refugee Centres or by legal advisers on a pro bono basis, as no form of legal aid is available prior to claiming asylum. Women whose leave to remain has expired are often scared to approach the Home Office, due to fear of being detained and deported.

Policies relating to claiming asylum are complex and not immediately evident to those unfamiliar with the UK legal system, as we have detailed earlier in the Key Issues With

<sup>2</sup> Laidman, J. (2023), Free Movement Blog, <https://freemovement.org.uk/legal-aid/>, accessed December 2023

<sup>3</sup> Canning, V. (2020), "Corrosive Control: State-Corporate and Gendered Harm in Bordered Britain", Critical Criminology, <https://tinyurl.com/56km6udz>, accessed December 2023

<sup>4</sup> Right to Remain Toolkit, <https://righttoremain.org.uk/toolkit>, accessed December 2023

<sup>5</sup> TACTIC, <https://tactic.org.uk>, accessed December 2023

*“ Having timely and competent advice can make women, especially if they have already undergone the trauma of SBGV, or been trafficked, feel empowered to exercise their rights...”*

Processing Asylum Claims section. Having timely and competent advice can make women, especially if they have already undergone the trauma of SBGV, or been trafficked, feel empowered to exercise their rights, and reduce the stress on them as they plan for the future.

Below are several case studies of women who have come to us, which illustrate the positive difference that quality legal advice can make.

### **Waiting without guidance**

*Zeinab arrived in the UK by boat. She was placed in IA and was unable to find a solicitor even after having been there for more than 12 months. There was no Refugee Centre to provide Home Office-sanctioned advice in the town that she had been placed. She only speaks Amharic, and has been waiting with trepidation every day in her IA, without legal advice or any contact from the Home Office on how to access legal aid or OISC help.*

Unprofessional legal representation

*Barbara’s case was taken on by a solicitor who had only spoken to her once. She had no client care letter sent to her. We advocated on her behalf, asking that she be given an appointment to discuss her case, and sent a client care letter. The solicitor gave her an appointment, but withdrew it on the day when she attended. Both the interpreter and solicitor berated her at the reception, telling her she had to wait and not to ask an advocate to intervene. The interpreter called her later to tell her to change her solicitor if she wasn’t happy with their service. Following this, the solicitor refused to answer emails regarding any future appointments, and we lodged a complaint to their manager. The firm has since been shut down by the Solicitors Regulation Authority (SRA).*

### **Inconsistent quality of legal aid**

*Faith had a solicitor who took on her case under legal aid once her Section 95 support was granted. She was sent a client care letter, and the solicitor wrote a brief statement in support of her application for her substantive interview. However, after the interview, the solicitor stopped replying to phone calls, and told Faith that she must just wait for a decision. After Faith had waited a year, her solicitors contacted the Home Office to question the delay. More than three years has passed since Faith’s substantive interview, and she has still not received a decision. Only at this point has the solicitor agreed to submit a pre-action protocol regarding the delays and its effects on Faith’s mental health.*

### **Finding a better legal adviser**

*Priscilla had a legal aid solicitor, but they were not replying to her requests to prepare her for her interview. We sought the help of a pro bono solicitor to talk to her when she received the date of her substantive interview. The new solicitor spent three hours with her, asking questions intently and explaining what would happen, as well as highlighting evidence to take with her to the interview. The solicitor also provided training to Priscilla and other women funded by Baobab on screening and substantive interviews, as well as the Preliminary Interview Questionnaires. We shared the Right to Remain toolkit with Priscilla, and showed her how to translate it into her language. Post interview, the pro bono solicitor talked to her about sending evidence in relation to her case, and requesting copies of her interview. Priscilla was granted refugee status within 2 weeks of her interview*

### **When legal advocates do their job with care**

*Muna accessed legal advice from J M Wilson pre-claim, via their drop in advice sessions. She was referred to Central England Law Centre (CELC) by Baobab directly after her screening interview. She had a solicitor from CELC who provided a client care letter. She was given appointments, received responses to phone calls, and her solicitor spoke to her before and after her big interview. The solicitor also requested a change of interpreter when Muna did not fully understand what was being asked of her in the interview. She had her appeal statement read*

*back to her and amended, and evidence verified from her country or origin. At appeal, a competent barrister was assigned to her. She felt heard and informed about the asylum process. She received refugee status after waiting for 1.5 years.*

### Re-Traumatisation During the Fresh Claims Process

Many women we assist need to prepare fresh claims<sup>6</sup> for asylum as they were not believed by the Home Office in the past. To this end, the Home Office has a Further Submission Policy<sup>7</sup>. Finding new evidence to submit can be extremely challenging. We always refer these women submitting fresh claims to the Hope Projects<sup>8</sup> to get a legal opinion on the case. Hope Projects gives advice on what the next steps can be, and provide funds and housing to support some people through their destitution.

**“ If a competent representative takes the case on and gets legal aid funding, they can instruct country or psychological experts to comment on past experiences, and state the risks the women might incur should they be repatriated.”**

If a competent representative takes the case on and gets legal aid funding, they can instruct country or psychological experts to comment on past experiences, and state the risks the women might incur should they be repatriated. They can also verify new evidence if this is obtained, like a birth certificate or arrest warrant, and write a compelling statement in support of the women. Often if this is all satisfactorily done, we find that the women are then believed at appeal, and thus granted protection. Having a quality solicitor to get to the root of why they were refused, re-issue a clear statement, and explain in further detail about why they need protection are all essential factors in ensuring that women get refugee status.

Below is an excerpt from an interview with one of the women that Baobab has advocated for, which shows the impact that a good solicitor can have on asylum seekers' fresh claim.

*'I work with a solicitor when in hostel, I don't know her, I don't have advice on interview, I don't know where solicitor is. Someone coming to hostel, an interpreter, took details and he went, he worked with a solicitor but I never met them, he took my name, country, age. They gave me letter saying interview coming. Big interview, I did not know my solicitor, I never had advise about what interview is, or how an asylum claim works. First rejection, solicitor not answer, they sent me someone else's rejection, not good English, I call, call them, they not answer. I change to another solicitors, found the refusal was not my case. But after four years they reject me. This solicitor answer phone calls, give appointment, always give an interpreter. Me refused at appeal, made fresh claim 2018, in June or July. They help me, the solicitor and interpreter good, but case refused still. Trafficking they say yes, but no paper. Was difficult, GP sent to Healthy Minds, really depressed, cannot go out, sit and think, think. Go over past. Really good solicitor now, made new Fresh Claim, have hope, reassured. They get expert and psychiatric reports. Home Office refuse, we wait court.'*

Being forced to reiterate their traumatic experiences each time they are refused is a mentally debilitating process for women. Many asylum-seeking women go in and out of mental health and counselling services. When they submit fresh claims, it makes a huge difference to their credibility when the mental health professionals who have attended to them are able to submit their medical histories, provide accredited diagnosis, and state the risks to their health to the Home Office. While it is lamentable that their trauma needs to be 'professionalised' to be believed, at least these letters also allow legal aid representatives to present new evidence for fresh claims.

### Interpretation

Interpreters speak on behalf of asylum-seeking women. They relay, explain and describe the women's lives to those in power, who then make decisions that can change their lives. Without professional interpretation, women are not given a fair hearing. The Home Office

<sup>6</sup> Aliya Khan – Appendix XX to what a fresh claim is, taken with permission from a Hope Projects advice letter.

<sup>7</sup> Home Office (2023), Further Submissions v 1.1.0, <https://tinyurl.com/34cerfy9>, accessed December 2023

<sup>8</sup> Hope Projects, <https://hope-projects.org.uk>, accessed December 2023

## Legal Advisers, Interpreters and Presentation of Claims

needs to train and motivate interpreters so that they can do their jobs properly. Based on anecdotal evidence, we know that there are interpreters who are cruel or underqualified, placing some asylum seekers at a huge disadvantage.

### Voices from lived experience: What makes a good interpreter?

- When they pass the message clearly and effectively.
- Don't remove/add any sentences to what you said
- They should say whether they do/don't understand what you said
- Calm and confident
- Listen do not judge.
- Polite, make communication easy and fluent.

*“Women have also reported that interpreters in interviews sometimes behave problematically. Male interpreters are often inappropriately used.”*

Women have also reported that interpreters in interviews sometimes behave problematically. Male interpreters are often inappropriately used. In one case, a woman described being berated by her interpreter for disclosing rape as ‘it makes our men look bad, they don't do this’. He then told her that he would not translate her disclosure to the interviewer. One woman told us that at the time of her interview, despite her limited English, she realised that her interpreter was omitting key points she had made, or simply misrepresenting the facts of her case. She asked to stop the interview, and was later offered a different interpreter. However, on hindsight, she realised that many other women in the same situation might not have known their rights and felt too fearful to speak up. Other women have spoken about not feeling able to disclose information when they were laughed at by Home Office caseworkers and interpreters, who talked about them during their interviews and called them liars.

## A Culture of Disbelief

We feel strongly that all women must be heard and protected, regardless of their backgrounds, if they are at risk of suffering from abuse and persecution should they return to their home countries. We provide several examples below to demonstrate how women are disbelieved by the legal system, and for those who were later successful, how they had to present evidence to overcome barriers to get protection, sometimes after many years.

*One woman was unable to disclose how she had been raped and abused by the army in her home country, because of the male interpreter that was present at her interview.*

*Another woman spoke about her pain when, after disclosing domestic violence and forced marriage, her story was dismissed as a lie. She was detained and the deportation process began before she was finally released to have her claim decided in the UK.*

*Another woman spoke about FGM, and was told by a Home Office case worker that this did not happen to her.*

*A survivor of domestic violence described a caseworker intervening to stop the interview due to her distress, so she could access mental health support and treatment before reinterviewing. She told us that being spoken to calmly made her feel reassured, and able to give her evidence more easily.*

Other women have told us that they were sent letters detailing the reasons for their refusal that were a “copy paste” job, as the exact same wording had been used in letters sent to other refused asylum seekers. In some cases, the Home Office had failed even to change the names on the letters.

## Preparation for Appeal Hearings

Some women who are refused asylum are given the right of appeal so a judge can decide if they need protection. This hearing requires substantial preparation so that the judge has all

the necessary information to make a fair decision on the day. However, the amount of time requested by the Home Office to prepare for the hearing is usually inconsistent. One woman we supported had her case adjourned three times because the Home Office did not submit the papers requested by the tribunal. In contrast, another woman was asked to submit new evidence in just five days, when she was unable to get the certificates she needed from her home country in such a short period of time.

**“Women need to be allocated barristers who are respectful, understand their case, and can represent their needs.”**

Women need to be allocated barristers who are respectful, understand their case, and can represent their needs. One woman reported having a representative in court who had not read her papers, and instead presenting details of another client’s case. Another woman was not told about her appeal, and the judge dismissed it. Later, after her appeal had been re-allocated to a new solicitor, brought forward to the Upper Tribunal, and re-listed in the First Tier Tribunal with new evidence of her nationality brought before the judge, the Home Office withdrew their refusal and granted her refugee status.

We spoke to women at our influencer meetings, who brought up the following queries and comments:

- ‘I year waiting to get a hearing is too long’
- ‘Why does not judge go through papers to made sure everything ready to progress’
- ‘“When person vulnerable Home Office should be soft in the way they treat people, more respect to the claimant, not looked at like criminal’
- ‘Correctness of country guidance for safety and relocation / expert witnesses and reports should be believed’
- ‘Case submissions added to at appeals good, legal aid wait takes time.’
- ‘“Interpretation needs to be of good quality.’
- ‘If HO not prepared can the court decide on the papers.’
- ‘Sending documents should be to the legal rep and person as well, want documents to stay informed.’
- ‘Judges can be good and bad, fairness of decisions important, shouldn’t be different for different people.’

### Impact of Refusal on Asylum Seekers

Refusal statements issued by Home Office tribunals are typically worded in such a way that they either reproach the applicants for their lack of knowledge of the asylum process, or cast aspersions on the veracity of their stories. Both have the effect of worsening the fraying mental health of the applicants. Here are some excerpts from refusal statements we have seen.

*‘Having considered all the evidence in this case, I conclude that the appellants account is not credible’*

*‘I reject the appellant’s explanation for her inability to adequately answer questions about her political activity when she was asked in her interview’*

*‘I find it probable that the reason for her inability to answer questions was that she did not know the answers because her claims were false’*

*‘I have no direct evidence in relation to those matters, save for the appellants account and a letter from {political group}, I attach no weight to the letter. Due to credibility issues, lack of explanations and credibility issues.’*

First Tribunal Judge refusal text:

*‘The appellants story contains a number of details which strain credulity’*  
*‘She gave a number of differing accounts of what happened...’*

## Legal Advisers, Interpreters and Presentation of Claims

*'There could be no reason why she did not tell the immigration officer on arrival to the UK of the true reason for her coming here, there can be no reason whatsoever for not telling the solicitor at a meeting before the expiry of a visa'*

*'Her asylum claim emerged 15 hours after travel to a detention centre'*

*'Her claim that she hadn't read the refusal letter and then did not know if she had or had not is frankly incredible, her whole future safety depended on whether she could appeal against the decision, the suggestion that she had not studied every word is simply unbelievable'*

*'I shall not speculate to the reason for this, but the appellant gave no reason at all'*

***"The women we spoke to in our influencer groups described a spectrum of emotions upon being refused protection."***

The women we spoke to in our influencer groups described a spectrum of emotions upon being refused protection. Below are some of their comments.

*Great disappointment*

*In shock, offended at suggestion of voluntary return to birth country*

*My reaction was bleeding three times with each refusal*

*Felt suicidal*

*Couldn't stop crying*

*Insomnia*

*Upset, crying, headache, lonely, giving up, very down, deflated*

*Not trusting, why bother?*

*It took a very long time, during which we are being accused of being liars*

*Home office is spiteful towards asylum seekers, we are human beings*

*This hostile environment is making people have mental health, domestic violence, abuse, physically, mentally and sexuality.*

*Need more compassion*

*English immigration is very mean, they consider us seeking asylum as animals*

Being refused protection causes great anguish to women especially when they have nowhere else to go. From our experience, women with very similar cases can get either refused or granted, with little consistency in terms of decisions made. Those who are refused are often left bewildered about why they were not given protection, when another woman with almost identical circumstances was given leave to remain. Reasons for refusal include contradictory and inconsistent interview accounts, shoddy preparation by solicitors, poorly written statements, quality of expert evidence, and the leanings of the individual caseworkers and judges hearing the case.

Women who have been refused need immediate support from homelessness. The burden has fallen upon charities and local communities to source solutions to the women's impending destitution. Those losing state-funded accommodation have no right to work. Their health difficulties spiral, they are plagued by memories of past abuses, and are consumed by fear of future harm.

We have found that the solutions to some of these issues are very doable, but firm political

will be needed to implement them. In cases we have seen where women's refusals were overturned, this was usually because they had managed to secure better, more adequate legal aid; or found experts and witnesses to provide statements in support of their applications, explaining contradictory and inconsistent statements as complex, multilayered truths laced with Post Traumatic Stress Disorder (PTSD), untrue interpretation or misrepresented recording. Greater state investment in the immigration law sector and providing more structured guidance to legal aid representatives will help to relieve the current strain on those working for migrant justice.

### Recommendations

We make the following recommendations with a view to providing trauma-informed and gender-sensitive legal advocacy for asylum-seeking women

#### For the Home Office

##### **Improving interview practices:**

Women need to be interviewed in a gender and trauma-informed way so that they can communicate their experiences and needs. We propose that female interviewers should always be offered in the first instance, as many of the women we have spoken to say that they are more empathetic of their experiences. In addition, where women specifically request for female interviewers, these requests must be adhered to.

Competent and respectful interpreters must be provided so that the women can communicate effectively and not be misrepresented.

##### **Moving from a culture of disbelief to deeper compassion:**

Home Office representatives have the moral responsibility to carefully consider each application, listening and paying attention to women's fears and concerns, and make every effort to fully understand the cultural background of cases.

##### **Investing in legal aid:**

More investment needs to be made in the asylum legal aid section so that lawyers are not overworked and have sufficient time to give each case their fullest attention.

##### **More consistency in timescales for tribunal:**

Where refused cases go to the tribunal, the Home Office must send through all required documents in a timely manner. In addition, where further documentation has been requested or is being provided from the women, they need sufficient time to procure and provide this.

#### For legal aid representatives

##### **Offer a detailed debrief:**

In appeal cases, ensure that the applicant is given sufficient time to discuss their case within 14 days of receiving a refusal. Any further delays cause unnecessary stress.

##### **Make every effort to secure an expert statement:**

Solicitors and barristers must ensure that women understand that they have the right to provide an expert or witness statement to support their applications, and make it clear that this would be ideal. Where women have indicated that they wish to supply an expert statement but require more time to do this, lawyers must duly notify the Home Office or tribunal that the interview or hearing needs to be adjourned.

##### **Teaching self-advocacy:**

We hope to see more legal advisers working to train and provide resources to asylum-seeking women, so that the latter may understand the legal process and represent themselves better before the Home Office, and work more efficiently with solicitors.

*“Women need to be interviewed in a gender and trauma-informed way so that they can communicate their experiences and needs”*



## NRPF, Domestic Abuse and Living Undocumented



**This project assisted a small number of women who were living without residence papers for non-asylum reasons. They had arrived in the UK to work, study or to be close to family. Women became undocumented after overstaying a visa, or had European dependents but had not yet received settled status. Some women came to the UK on a dependent or spousal visa but the relationship broke down following domestic abuse. In all of these cases, the women have No Recourse to Public Funds (NRPF) and are legally unable to work. Undocumented and destitute women who have children are entitled to Section 17 support.**

*“We have received reports of women being placed in mixed-gender hostels, sharing spaces with homeless people struggling with substance abuse issues..”*

These women may have children who have British nationality. They cannot return to their countries of origin, as they are the sole carers of their children, who are British. This means that with the regularisation of the children’s status when they turn seven, the women can get residence on family grounds, since it is unreasonable to expect that a child who grew up in the UK could be forcibly uprooted to a different country and expected to assimilate. Many women in this situation are uninformed of their rights, which renders the work of projects like Coram legal Centre and Project 17 so important. Although Section 17 offers destitution support, it does not allow these women to work.

In terms of accommodation, destitute women with NRPF and their children are placed in hotels. Some are suitable for families, while others are not. Women feel it is important to be allocated accommodation that is suitable for children. We have received reports of women being placed in mixed-gender hostels, sharing spaces with homeless people struggling with substance abuse issues. This has caused no small amount of unease and fear for these women and their children.

*“We held an influencer meeting to discuss their thoughts on various issues incurred when women had NRPF. In general, we found an even mix of positive and negative experiences.”*

We held an influencer meeting to discuss their thoughts on various issues incurred when women had NRPF. In general, we found an even mix of positive and negative experiences.

### **Positive feedback on experiences with social workers:**

- Some social workers are kind and earnest, working with women to resolve difficulties around destitution and accommodation
- Good social workers gave the women copies of their human rights assessments
- Women felt supported in finding solutions to their problems
- Negative feedback on experiences with social workers:
  - They spoke constantly about the women returning to their home countries, making them feel sad, stressed and unwelcome
  - Some were openly hostile, threatening to call the police to remove the women from their accommodation

### **Positive feedback on support-related issues:**

- Most women were glad to see an increase in cost of living raises amounting to £6 per week last year
- Some women saw their gas and electricity bills paid directly by Children’s Services
- Some women were glad to have received educational placement opportunities
- One woman shared that she had received a school uniform grant from Black Country Women’s Aid
- One woman was able to access a contactless pre-paid card issued by a bank
- Other women received different forms of help with child maintenance

### **Negative feedback on support-related issues:**

- Some women were not able to buy clothes or shoes for themselves and their children, even when these items were worn
- Others were unable to get milk or children’s clothes easily
- Several women requested more support with food in nursery care as well as the cost of after school clubs, as they feel these are needed for their children to be properly integrated
- Women found that there was often no funding for higher level college courses even if they had the aptitude to continue pursuing education
- Some women spoke of receiving no support before giving birth, and that they would like more help as they enter their last trimester, and not just from the hospital
- Many of the women said they wanted to be able to make online purchases and open their own bank accounts
- Women agreed that chargeable medical care is too costly for them

### **Positive feedback on hotel accommodation:**

- Hand wash was provided in some hotels, as well as a laundrette, which made it easier for women to maintain hygiene in an often cramped space
- There was enough space to sleep
- In some rooms, women reported having a kettle, small fridge, baby cot and a space for pushchairs
- Women who had access to ensuite showers were very happy and were able to keep their private spaces clean instead of sharing with strangers

### **Negative feedback on hotel accommodation:**

- Some women who had had a C section were uncomfortable with having to share a washing machine with dozens of other people, citing concerns over their health after having seen tenants throw dirty bathmats and trainers into shared washing machines

## NRPF, Domestic Abuse and Living Undocumented

- Others felt unsafe in shared kitchens that were very cramped, with nowhere to put or watch over their children
- In some hotel accommodation, the kitchen is only for hotel staff, and women are unable to use even a fridge or a microwave
- Several women said that their hotel accommodation felt restrictive as they were not allowed visitors
- In general, it was agreed that hotel accommodation is not adequate for pregnant women especially those close to their delivery date

### Positive feedback on houses allocated to those with NRPF:

- Women said they did not mind sharing a house with five or six other women if they got on
- They felt that a house is a safer space for a child to play in than a hotel
- Negative feedback on houses allocated to those with NRPF:
- Washing and cooking is sometimes an issue when sharing a flat with several others, although this is fairly easily resolved
- When the residents of a house are not close to one another, addressing issues with the accommodation can be a problem. One woman reported having to leave her baby unattended for a fairly long period of time while trying to close a lift door that was shared by the other residents of the house
- Other women reported not having space in the house for their prams

## The Migrant Victims of Domestic Abuse Concession (MVDAC)

Women who come to the UK on spousal; refugee family reunion visas; who hold pre-settled status as the partner of an EU national sponsor; or who arrive on other routes but are subsequently granted leave to remain as a partner but experience a breakdown in their relationships do have a good route to settlement.

The Migrant Victims of Domestic Abuse Concession (MVDAC) (formerly the Destitution Domestic Violence (DDV) concession) allows these women to access government benefits, and to work while their application to stay in the UK is considered. The MVDAC grants an initial period of three months leave to remain. Applicants on the visa routes listed above can then submit an application for indefinite leave to remain as a victim of domestic abuse (called a 'SET DV' application). As long as the SET DV application is submitted before the MVDAC expires, these women are able to continue working and claiming benefits while the SET DV application is being considered.

Domestic Abuse victims who are the dependent partners of student visa holders, graduate visa holders, work permit holders, holders of visas on other economic routes are now also eligible for the MVDAC. These people are not eligible to apply for ILR on the SET DV route. If they claim asylum or submit another immigration application (such as a human rights or family and private life application) while they hold leave outside the rules under the MVDAC then they will retain their leave outside the rules, their right to work and their access to welfare benefits until the asylum or other immigration application is decided.

There are also changes in the rules for children and scope for discretion to be used to grant settlement even where these rules are not fully met.

From our experience, SET DV applications are processed within months, and those applying are regularly granted Indefinite Leave to Remain. This is something that other routes to settlement could be modelled after. With MVDAC in place, women feel safer, and while there are still difficulties navigating this system, women see that they have a clear route to support that is available to them.

The Domestic Abuse Home Office policy (2022) is clear in providing guidance for asylum

*“From our experience, SET DV applications are processed within months, and those applying are regularly granted Indefinite Leave to Remain. This is something that other routes to settlement could be modelled after.”*

seekers who have undergone domestic violence to access support and accommodation. However, this support is only given when the women have claimed asylum.

While the EEA residence route is practically closed, we worked with a family who was destitute and in section 17 support while their application was processed. They were always going to get residence, but delays meant mum and daughter were kept in a state of limbo. After 3 years, in which we helped get the right documentation, and then tackled life with a NRPF condition attached to the residence permit, mum has found a private flat, and is working full time in the UK, supporting her family.

There is a lack of legal residence routes for women who have not experienced abuse, or do not have asylum grounds. These women are left vulnerable to exploitation and abuse.

*“There is a lack of legal residence routes for women who have not experienced abuse, or do not have asylum grounds. Making exploitation and abuse of ‘illegal’ people more probable.”*

## Recommendations

### For the Home Office

#### **Amend the Domestic Abuse Home Office policy:**

Women fleeing abusive partners can then access funding for refuge spaces, while in the process of claiming asylum.

#### **Give women residence papers to work and live:**

Learning from the MVDAC policy, enabling all women to move on with their lives.

#### **Make guidance on Section 17 support much clearer and more accessible:**

This can be done by working more closely with local authorities to identify women who qualify for it. The Home Office also needs to work with local councils to ensure that women with children are given suitable accommodation under Section 17.

### For Legal Advisers and Advocacy Organisations

#### **Provide training to other organisations supporting asylum-seeking women who have experienced domestic violence:**

Our involvement with the West Midlands Women’s NRPF Network, which coordinates our advisory group,<sup>1</sup> is an excellent example of how legal, migrant and women’s organisations can come together to try to offer support in this area. However, we would benefit from more knowledge sharing so that we are always up-to-date on the types of support available to survivors of domestic violence who wish to seek asylum.

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<sup>1</sup> Women’s Advisory Group, Baobab Women’s Project, [www.baobabwomen.co.uk/danrpfwomensadvisorygroup](http://www.baobabwomen.co.uk/danrpfwomensadvisorygroup), accessed December 2024

# Healthcare, Mental Wellbeing and Education



**In this chapter, we cover issues around women’s access to medical treatment and mental health support which has been found to be limited before and during the time they claim asylum. We have received reports of some GP surgeries providing substandard care, giving women paracetamol when they report being unwell, rather than taking the women seriously and properly examining them. Other GPs do give appointments upon request, listen attentively to women’s issues, and refer them wherever appropriate to further physical or mental health support.**

*“We have received reports of some GP surgeries providing substandard care, giving women paracetamol when they report being unwell, rather than taking the women seriously and properly examining them.”*

People seeking protection are entitled to free NHS care, including secondary care and a payment exemption certificate, ‘HC2’, if they are in receipt of asylum support or on low incomes. Migrants with NRPF have to pay for secondary care, but can get primary care for free. As with other policies, in theory, access to healthcare sounds fair. In practice the system creates and sustains mental distress, it is in itself a cause of anxiety and depression.

We spoke to some of our influencers about how their mental health had been affected since they entered the asylum system. This is what they said:

*‘Before I apply for asylum I was relax but now I feel more stressed and anxious, because I am waiting for everything’*

*‘I was worried before applying because of my important problem and I am afraid about my family and their life. Now I feel more depression. I can’t think and I always feel confused’*

*‘I wasn’t very good, I had drug poisoning and tried to kill myself because of my life. But now I think I can’t manage myself at all, I feel ill and depressed because of detention and lots of problems here’*

*'Happy thinking that I would be able to take back my life'*

*'Don't want to focus on the past, pray- lift self, go to gym'*

*Try not to remember, not to think about it, those bad times.*

*'I try to volunteer, stay active, but no one replies me. I see counsellor and feel better, think about present and coping with feelings but when leave there, sit and think more. More depressed. Alone. I want to work, I can care for old people, I'm good at this. I'm stuck'*

### Accessing Healthcare

The mental and physical health issues incurred by asylum-seeking women, and the ways in which the system exacerbates these problems, have been addressed throughout this report. In this section, we focus on the barriers that women face in accessing healthcare.

***"We helped Fatima sign up to a new GP, assisting her in completing the forms required. Initially this was a problem as she did not read or write English, and was thus refused registration by the surgery, but after discussion with the reception management, she was successfully registered."***

*We helped Fatima sign up to a new GP, assisting her in completing the forms required. Initially this was a problem as she did not read or write English, and was thus refused registration by the surgery, but after discussion with the reception management, she was successfully registered. She then experienced difficulties scheduling appointments, as she would call the reception for weeks but was unable to get through. When she did speak to reception at the right time to book a GP visit, she was told she had missed an appointment and was therefore unable to book another one. Baobab called on her behalf, and was told she could access an appointment. Eventually, the appointment was booked.*

*Tabeth had multiple appointments for shoulder pain, physiotherapy, a breast screening, and mental health support. At every appointment but one, she was not given an interpreter. At her breast screening, the doctor at the hospital initially refused to do a biopsy, telling her that she must have an interpreter. However, after checking that an interpreter had been booked for the second appointment, nobody turned up, this time they did complete the surgery. The pain management clinic booked her three appointments before an interpreter could be present so she could talk through her pain issues. The mental health team booked her three appointments; with each one Baobab called to confirm an interpreter was booked, and each time they responded in the affirmative, but on arrival no interpreter was present. There was only one exception, when an interpreter was present, but the consultant cancelled the appointment. During an appointment, when her mental health consultant asked if she wanted to kill herself, she responded no. Despite her demonstrating other signs of distress, the consultant noted that she did not need any psychological intervention.*

*Hina was referred for mental health support. She moved home after a period of destitution, and missed an appointment letter. She was then re-referred by a new GP, it took almost a whole year to be given an initial appointment. When seen, she was prescribed medication by the psychiatrist, but her GP told her not to take it, she did not understand why. She has nightmares, flashbacks, panic attacks and severe anxiety. She cannot function day to day and spends most of her time in her room. She struggles to get prescriptions and GP appointments, and it took four months to get an alternative to the medications the psychiatrist prescribed.*

Supporting women with GP access and secondary care takes time and skills. The NHS is overstretched, and provision of care a struggle for all people, having complex needs as an asylum seeker, or woman with NRPF, especially when there's a language barrier adds additional layers of difficulty. Women with NRPF can often be sent large maternity bills post pregnancy and birth of their child which deters them from seeking care.

We discussed some of these issues with the Health Alliance group, convened by the CRISIS Health Now Project<sup>1</sup>. We found the links to NHS service providers and local government

<sup>1</sup> Groundswell, Homeless Health Peer Advocacy Birmingham, <https://groundswell.org.uk/hhpa/birmingham>, accessed December 2023 <https://groundswell.org.uk/hhpa/birmingham/>

officials ready to help to facilitate improved access. We got a contact to highlight the interpreter and other difficulties at a structural level.

### Consideration for Healthcare Needs During Dispersal

*“As mentioned in previous chapters, the accommodation allocated to asylum seekers is often not suitable for women, especially those who are pregnant”*

As mentioned in previous chapters, the accommodation allocated to asylum seekers is often not suitable for women, especially those who are pregnant. We have found that dispersals often adversely affect women’s health. Firstly, pregnant women are often not given appropriate accommodation for the safety and wellbeing of their children. Secondly, they must re-register to access mental or physical healthcare locally that is essential to their maternity care. Last but not least, dispersal often takes place in a disruptive way, days or weeks pre or post birth of their child. Altogether, these are factors that cause poor physical and mental health in asylum-seeking women.

#### Unsuitable Accommodation for Pregnant Women

Most pregnant women we assist who apply for section 4 support are accommodated by charities until they give birth, at which point finding appropriate accommodation from the Home Office is a challenge. We notify the Home Office of these women’s healthcare needs and provide details about hospital care location in their applications for support, made at 29<sup>2</sup> weeks during the pregnancy. We have found that women’s applications are always approved, and they are then offered travel to accommodation.

However, pre-birth dispersal is often prolonged due to language barriers and poor communication of pick-up times. It can take two or three pick-up attempts to get women moved to a house. Women can miss a pick-up if not told about the travel date as they are out of the house, at medical appointments. Some women refuse to travel as they are offered out-of-area housing. In these cases, the accommodation offer is withdrawn, and we need to go back to the Home Office to get authorisation again. This requires time that pregnant women do not have and they worry about being unprepared for the baby’s arrival. Where SERCO have allocated housing to a pregnant woman weeks before birth, they are told that it is temporary and that she will be moved to mother-and-baby accommodation following the birth. While the availability of mother-and-baby accommodation is indeed welcome and appropriate in the circumstances, it is emotionally and practically disruptive to expect the woman to uproot herself while she is recovering from having given birth.

Sometimes, we hear from women who have given birth and are then immediately moved. Other women also told us that they could not be discharged from hospital, as after their babies were born, they were not given accommodation in Birmingham. One woman was only offered temporary IA in Derby, another a hotel in the same West Midlands county she was in. One woman spoke no English and felt terrified that she wouldn’t have a midwife, GP or community support. The hospital was calling Baobab, and saying she must leave, but she had nowhere to go. She ended up being supported by Children’s Services to stay connected to medical services for 2 weeks before SERCO found local accommodation.

The Home Office Healthcare needs and pregnancy policy<sup>3</sup> states that any dispersal property must be suitable not just for a pregnant woman (including those with mobility issues), but for a mother and baby, post birth; (pg 17) Women must be provided with decent appropriate accommodation before birth.

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<sup>2</sup> Access to support has recently been improved; applications are now accepted at 29 weeks’ pregnancy rather than 32 weeks.

<sup>3</sup> UK Visas & Immigration, Healthcare Needs and Pregnancy Dispersal Policy, <https://tinyurl.com/55564x5e>, accessed December 2023

### Sourcing Accommodation to Account For Healthcare Needs

We have found that Birmingham MIND, Spring to Life and other NHS-funded services are often used to provide mental health support for stress and anxiety that women experience when they are in the process of seeking asylum. These appointments take time to come through, and women can be dispersed to other areas by the time they receive an appointment date. This means they have to begin the process of GP registration and referral for mental health support all over again. These delays can cause their conditions to remain untreated, or worse still, deteriorate.

We have submitted requests for a number of women to be housed in the local area owing to the medical treatment they receive: this includes Freedom from Torture therapeutic support, hospital appointments for cancer treatment, ongoing care for a child diagnosed with Spina Bifida, and weekly counselling with the Healthy MINDS community programme that provides wellbeing and mental health services, among others. The Home Office makes a decision on these requests based on its perceptions of the availability of these treatments, but typically, this does not take into account the full psychological needs of the women. For example, hospital treatment and specialist counselling from Freedom from Torture are always approved for a local move, but local counselling is not, as the Home Office believes that this can be accessed anywhere in the UK. We have found that across the board, women feel understood when their local accommodation moves are approved, and anxious and depressed when they are not. Appropriate accommodation is also more likely to be provided following a detailed report from a health professional on the women's health needs, and the likely impact of relocation. Once again, without the provision of evidence by an expert, accommodation is likely to be lacking.

*“We believe that faster processing of claims will decrease the need for asylum support re-applications and unnecessary relocation.”*

Although we want all women to have the right to accommodation within their local we know it is realistically not possible. We know it is not possible for the Home Office to provide tailored accommodation to all people seeking protection. However, all the women we have spoken to have mental health issues and, 99% of them want to stay close to support networks they have fostered including church, colleges and friends, as this helps alleviate their distress. We believe that faster processing of claims will decrease the need for asylum support re-applications and unnecessary relocation.

### Access to Education

After 6 months of waiting for their claims to be processed, women are legally able to access education. Access to education is a great asset to our beneficiaries, especially since they are usually barred from work. It gives women a chance to understand the English language, and seek out and build community. However, women face considerable challenges in accessing education.

Funding for educational opportunities is also often either limited or severely restricted. For example, some of our influencers have told us that Level 1 and 2 courses, generally seen as being pre-GCSE qualifications, are free for asylum seekers, but those who wish to move on to Level 3, which is a basic requirement for employment, are prevented from doing so. There is also a shortage of English for Speakers of Other Languages (ESOL) classes across Birmingham, with many educational institutions and providers in January 2024 stating that most classes across different levels are booked out until September 2024.

We have regularly found that abrupt dispersal to other parts of the country disrupts women's education and forces them to find and register at new colleges, which is an experience that is distressing and alienating. As the case study below illustrates, the turmoil of being moved to a new city can be so unsettling that women end up forgoing their education – especially when it has become a large part of respite from the long process of waiting for asylum.



## Healthcare, Mental Wellbeing and Education

*Tsehay had her fresh claim pending, and was wanting to access education. She already had reasonable English speaking skills but not reading or writing. She had completed entry level English courses. She was depressed due to her unsettled status and was managing difficult health issues. She attended digital, math and English classes at the local college and felt better. However, during her study time, she struggled to concentrate. She was refused protection and had to miss class to see her solicitor. She sat at home worrying about her past, and of all the things that could happen to her if she was to be repatriated. She had to increase the dosage of her medication so she could sleep, and go to therapy to cope on a daily basis. When she was told that she would be moved to a different accommodation in another city, she broke down. She had already been moved the year before, and knew she could not complete the school forms for her children to register, the college forms for herself, the GP forms for healthcare. She felt powerless as she was told unless she could produce consultant medical letters with local appointments, or her children were taking GCSE's then she must move. She dropped out of college and no longer studied English.*

## Recommendations

### For the Home Office

#### **Give women residence papers to work and live:**

Doing so will go a long way in ameliorating women's mental health challenges.

#### **Ensure that pregnant asylum seekers are allocated adequate housing:**

Giving birth in a foreign land after having undergone untold trauma can be extremely difficult and even frightening for many women. At the very least, the Home Office should ensure that pregnant asylum seekers are offered accommodation with sufficient private spaces so that they can recuperate safely and without having to fear for their health and safety after giving birth.

### For healthcare professionals

#### **Treat asylum-seeking women with respect:**

Whenever women turn up for an appointment, address their concerns attentively and with kindness instead of dismissing them. In particular, with regard to mental health, any signs of anxiety or depression should be taken seriously and referred for specialist support without delay.

Interpreters must be present at all medical appointments.

*“the Home Office should ensure that pregnant asylum seekers are offered accommodation with sufficient private spaces so that they can recuperate safely and without having to fear for their health and safety after giving birth”*

# Influencers' Reports



**This project invited women to engage with and comment on issues they felt were important to change or improve in the asylum and immigration system. Three influencers worked with the project to collect feedback from women on issues we identified together that were important to them.**

## **Part 1 Interview Process and Mental Health, Beauty Museve**

*“The project brings women together to find strength from each other as well as providing information to improve policy, in a way that will better the lives of women during the asylum process.”*

I am working on the interview process and how it affects asylum seekers women's mental health. The project brings women together to find strength from each other as well as providing information to improve policy, in a way that will better the lives of women during the asylum process. In this report I want to change:

- How women seeking sanctuary are treated when they come to the UK.
- Time taken for them to get an interview.
- The way interpreters are provided during the asylum interview.

It is very important so that in future women asylum seekers may be treated in a better way. From the cross section of the women asylum seekers I interviewed, this is what I found out:

### **When did you claim asylum?**

*Most women did not remember the dates and some even the month but the year.*

### **How long did it take for you to get an interview ( after claiming asylum)?**

*Most women said after claiming asylum it took a lengthy period to get an interview. Some even reached a maximum of about 3 years.*

## Influencer's Reports

### **When you went for your interview, how did you find the environment?**

The environment mostly is not pleasant but scary and makes you nervous.

### **Were you free to express your feelings during the interview?**

Most women said they were not free to express their feelings because of the following reasons:

*One woman who could speak and hear a little bit of English requested an interpreter and was given someone not from her own country but may be had learned the language to boost her career by interpreting many languages, said she felt words were being put in her mouth, she reached to the extent of wanting to say to the interpreter that what you are saying is not what I have said but she was afraid to say so. She felt that everything was ruined by the interpreter.*

*Another woman was given a male interpreter, yet she had requested for a female one. She could not express all feelings and had to reserve some things because of her background and religious reasons, there are some things you cannot say to a man.*

*One woman said she was free in the sense that she was not under jail chains but was not free mentally because psychologically she felt she was being put in a position of someone who had committed a crime which she did not know.*

*Some women said they were not free to express their feelings because it became so emotional thinking what they had gone through and had even left their kids where they were coming from, also by recalling what happened before.*

### **Did you have an interpreter during your interview?**

*Some of the women did not need an interpreter because they could understand and speak English, while others who had requested for one were not happy with the interpreters because most of them could not master their language. For example, you request for a female one and only find a male, and give someone not from your country who does not understand your language deeply.*

### **Were you asked the same question in different ways?**

*According to the women who were being helped by interpreters they thought they were not being understood properly, so to them they thought it was ok for their story to be heard better.*

*For those who could understand and speak English, got confused thinking that maybe they are not giving sufficient answers which meant that they ended up trying to add more on what they had already said or even giving a different answer.*

### **How would you have liked the questions to be presented to you?**

Most women who could understand and speak English would have liked it one question after the other rather than repeating the same question in different ways, because they ended up being confused.

*The women who had interpreters felt like what they were saying was not being understood and that the interpreter was not getting it properly from them, and felt their story was not presented the way they expected.*

### **Were you asked to provide any evidence during your interview?**

*Some women said their solicitors had already sent the evidence to the Home Office, so the immigration Officers had them.*

*Some provided them there before the interview started. Others who had no evidence were given 5 days to provide them.*

*The thing is if you are running away from danger, you have no time to prepare anything, it is like the moment you get a chance you just make use of it. If you come from a country which is very*

*“Some women said they were not free to express their feelings because it became so emotional thinking what they had gone through and had even left their kids where they were coming from.”*

*far from the UK, 5 days is not enough to gather evidence and then post it to the UK. You have to communicate with people back from the country you are coming from, some people will be willing to help but some will not. Since Most people who come to the UK seeking asylum are from poor countries, they may face financial difficulties to gather evidence and send it, which means it would take quite a while to get all the evidence one can need.*

### **Do you have any family members or friends who have claimed asylum using the same evidence?**

Most of the women had their own evidence except a few who shared evidence with friends and families.

### **How did you feel after the interview?**

*After the interview most women felt tired and exhausted, because mostly the interview takes a long time.*

*Anxious because this woman arrived on time and immigration officer was not informed on time that she was in, so much so that the interview was not finished that day and had to continue another day.*

*One woman was pregnant, and another was not well, and they all just wanted it over so that they could go and rest.*

*Distressed by thinking that They are already in the UK and there is no turning back but to rely on God.*

*Sad because of not knowing what the outcome would be, which caused them sleepless nights ranging from a week to a month.*

## **Part 2**

### **Support given to women who experienced modern day slavery in the UK, Temitayo Ajayi**

*“This report aims to change and improve the treatment given by the Home Office to women who had experienced modern day slavery when identified by competent authorities.”*

This report aims to change and improve the treatment given by the Home Office to women who had experienced modern day slavery when identified by competent authorities. There was an analysis of the support the Home office are entitled to render referring to the home Office document “Modern Day Slavery Statutory Guidance”

Part 8 (pg. 62) Support for adult victims, 8.2 states ‘The safety of the potential victim or victim must always come first as they may be at serious risk from their traffickers or exploiters.’ This is important to save the life of trafficked women.

I asked nine women from up to five different countries the following questions:

- Were you aware you could contact the salvation army for NRM support when you came to the UK?
- What type of accommodation did you get on referral to the NRM?
- How close is the health facility to your house?
- Did you find health services accessible? If not, how can they be made more accessible?
- In terms of health and emotional well-being, what help support did you get?
- What support do you think women need from the NRM with health and wellbeing?
- Did you get relevant legal advice?
- How can women get good legal advice?
- Do you feel safe now?

It can be deduced from interviews carried out with these women from different countries that had varied experiences back home and in the UK that:

## Influencer's Reports

*Over 90% of women did not know about the NRM when they came to the United Kingdom.*

*'No, I did not get any information. Nobody explained to me how it works'.*

Women are screened and asked relevant questions by assigned frontline staff of the national referral mechanism and when confirmed being trafficked, they are taken on board and being supported with their health concerns all the way as per their ordeal. They would be granted relevant help and emotional support where necessary.

Legal advice was accessed majorly from referrals from friends and from charity organisations.

More than 50% women feel unsafe primarily because their immigration status is yet to be confirmed by the Home-Office. It increases their level of anxiety which also makes traumatic episodes more frequent.

The safe houses located in various locations in Birmingham as provided by the 'Women's Aid' in collaboration with the Salvation Army have been supportive for trafficked women. The accommodation offers basic needs in the house and comfortability, it is indeed a safe house.

*'I lived in my friend's house, and she has been helping me from her small earnings and she also have two children she caters for'. What a life!*

Judging from the interviews, I recommend that the Home Office as part of helping and supporting identified trafficked women reduce their level of stress or trauma suffered, they should:

Improve or increase their level of awareness to the community as per the services they can offer identified victims. This makes it possible for victims to know they can run to the NRM for accommodation, support and all the assistance they can offer to them when their case is genuine.

**"There should be more help and support rendered by the Home Office to trafficked women."**

There should be more help and support rendered by the Home Office to trafficked women. This reduces the victim's trauma or stress level. Women's mental health should be given and treated as a priority. As the adage says, 'health is wealth', this help and promotes their wellbeing and relationship with the community at large.

Safe houses that are being provided by the Women's aid need to be well funded and adequate provisions made regarding essential support for the client and the organisation as victims do not have to live on friends which in turn may be offensive or abusive for them. This will give trafficked women the nerve to say, 'I feel entirely safe in the United Kingdom' Thinking with compassion for others: is that not a welcome relief for victims?

## Part 3 Violence against Women and Girls, Espoir Njei

"No woman should live in fear of violence, and every girl should grow up knowing she is safe, so that she can have the best start in life<sup>1</sup>. "We have set out an ambitious vision to tackle violence against women and girls in all its forms over the next four years. We will drive a transformation in the delivery of VAWG services, make preventions and early intervention...<sup>2</sup> The names of the participants were intentionally left out for a practical purpose as many people seeking asylum / refuge live in fear of the authorities and prefer to be unidentified.

<sup>1</sup> The Rt Hon Theresa May, Home Secretary (March 2016) page 4. Ending Violence against Women and Girls.

<sup>2</sup> Karen Bradley MP, Minister for preventing Abuse, Exploitation and Crime (March 2016) page 7. Ending Violence against Women and Girls.

In this report I want to change:

- The inhumane way women who suffer violence are treated in the UK system.
- The notion women have about reporting an act of violence i.e. so women have information and are able to report acts of violence.
- How women integrate into the communities.
- Build up women`s confidence, speaking out and campaigning.

Why it's important,

- No woman should be turned away from the support she needs and desires.
- To influence policy makers to review their approach towards the implementation of their policies.
- Ensuring a safe place for women to live in.
- No woman should face violence because it's bad.
- Remind policy makers of their promises towards ending or preventing violence to Women and Girls.

More than fifteen women were interviewed for this project randomly and came out with different responses as they were victims of one form of violence or the other. A cross section of the women we interviewed were not aware of the fact that violence against them could be reported while the others feared their partners or perpetrators and were scared to report. Find below some of the questions asked and what the women had to say.

### **Have you faced any violence in the UK?**

*All the women interviewed had faced violence in different ways. Just few of them had the courage to explain what it was, some of the women said they were homeless and vulnerable thus were afraid to be sent out on the streets. Some said it`s not a good practice to report their partners to the police officers or their GPs. As a result of this some of the women pretended not to have faced any violence.*

*“All the women interviewed had faced violence in different ways. Just few of them had the courage to explain what it was.”*

### **Was it reported to the police, doctor or another government service? (To whom / when?)**

*I did not report immediately but I did after some time when I had fled from the house. I think I reported to the police, some women`s aid agencies and people involved in my care, people that I have been involved in counselling and people whom I have been in contact with so far.*

*Yes, yes, I did have a case number when I reported. It is on record with the HO as well as the police.*

*Yes, I reported it to the police.*

*“because when I was with the traffickers, they made me very afraid of the police to the extent that each time I heard the sound of the police car or saw a police officer I was terrified”.*

*Because there are a lot of things involved in this matter, they put me in the hostile because I was living close to him. I was working for him in his shop. He did a lot of things with me. The guy in question usually takes advantage of me and I am scared to report because he is a pscycy and might do something bad to me since I am alone here in the UK.*

*About 70% of the women knew they could report or reported, 30% didn`t know or they were afraid of their partners and their perpetrators.*

### **How / what kind of support did you receive.**

*“The police wrote a report. I also reported a lady who assaulted me in our accommodation and the police took her to prison for all day. She always assaults me verbally; you are a prostitute, rubbish, you are going to college because you want men to do gigic gigie with you and not to*

## Influencer's Reports

*study, Indian lady. The police did not support me as the lady who always assault me is back in our accommodation. How can the police bring her back to live with us, she attacks other ladies as well. If she has a mental problem she should be taken to a mental home. I have been complaining to many places, but nobody acts. She does not allow me to cook my food when I come back from college, she says I can't come in the kitchen when she is there, I am diabetic, but I can't cook when I am hungry. She stays in the kitchen for six hours. I have complained to the manager as well, but he says he can't understand what I am saying."*

*"That time I had just come from Africa and my papers had expired because of domestic violence and that man would not allow me to go back home, so he started getting physical. They did not help that much just to get it on record that I have reported. That time you were fearful, and your mind is not at ease, I wasn't strong mentally and the police don't see how you feel and how you are feeling. You don't get any support like mentally, spiritually, physical or what it is. When I escaped from the hospital and went to the police, they did not really help but to have my story on record. I was really disturbed mentally but the police did not see that I was stressed. They did not say they were gonna take you for counselling or anything. They only put things on paper. Like I said they only gave me the case number."*

### **What outcome were you expected after reporting the violence and were you happy with it?**

*I expected them to safeguard me from the police side even to that safe haven were I was accommodated. I expected someone just to listen to me. I was just crying all the time. I felt like it's a normal thing what women are going through.*

*I wanted her to be moved to another accommodation because she is a threat to all of us in the house.*

### **Did you feel safe when it was reported?**

*I am scared because this man is raping me all the time, and I can't complain. I am alone in this country what can I do?*

*Yes, I felt safe because they always kept my mind at rest. The Nigerian interpreter I used during the first court hearing was too cruel to me, not letting me talk, putting words in my mouth and I cried and called Baobab and I was told not to worry that everything will be fine, and that the interpreter cannot do anything. Baobab stood by me till I got my papers.*

*From the responses from the women, about 95% felt really frustrated after reporting as their cries fell on deaf ears.*

### **Did you get support from any charities? Which one?**

*About 90% of them reported to charity organisations and were satisfied with the support they got from the charities.*

## Recommendations

***"Many community support groups should be funded to help women integrate properly in the communities by offering free English lessons and training."***

Many community support groups should be funded to help women integrate properly in their communities by offering free English lessons and training. This was mentioned on Annex A: Action plan (violence against women and girls' strategy 2016 – 2020)": support women in isolated communities to understand that domestic abuse is a crime and to seek help if needed through our new English language offer to provide basic training in English to women who speak no English."

More educational campaigns on the various types of violence so that women are made aware of their rights and where to get support when faced with any form of violence. "Over the next four years, the government will provide £80 million funding for VAWG services. We will use this to increase level of central funding to support transformation in local service delivery..." (Violence against Women and Girls Strategy 2016 – 2020)

Prompt action should be taken once a victim of domestic abuse, rape, physical assault has made a report to the authorities or bodies concerned. There may not be a generic approach to providing services to victims of violence and abuse as well as housing provision, assistance with debt or support for mental health problems may be a complex task. However, the provision must meet the needs of the diverse range of victims whether in the short term or long term.

From the responses of the women interviewed, most of them were happy talking about their stories to the charity organisations than to government officers – police. Thus, most of the charities supporting women should be funded regularly to enable them to support the women suffering from violence “...And to ensure all victims get the right support at the right time, we will drive a real transformation of service provision, providing support to local commissioners so that all areas rise to the level of the best<sup>3</sup>...”

Violence and abuse are terrible crimes which should not have a place in our society. Our commitment, underpinned by this research, will help keep more women and girls safe and bring more perpetrators to justice.

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<sup>3</sup> The Rt Hon Theresa May, MP home office secretary, (2016-2020) pg. 5. End Violence against Women and Girls.



## Conclusion



**Birmingham is the city where two incendiary speeches were delivered, which have reflected the UK's anxieties over immigration. 53 years ago, Enoch Powell launched into his infamous "rivers of blood" tirade at the Conservative Political Centre, warning that violence between ethnic minorities and white communities was inevitable if the flow of people from Britain's former colonies was not halted. At a Conservative Party conference in October 2022, then-Home Secretary Suella Braverman, herself a second-generation immigrant of Indian parents who arrived in the UK from Mauritius and Kenya in the 1960s, crowed that deporting asylum seekers to Rwanda was her "dream and obsession".**

*"In light of our findings detailed in this report, we exhort the Home Office to pay more attention to the needs of women seeking asylum in the UK at the start of their case."*

Yet today, the foreign-born constitute the largest share of Birmingham's population. Though Braverman and Powell are united across half a century by the same post-empire angst that still animates the UK, our work in Birmingham and the West Midlands has shown us that we live in a city and region full of communities that warmly support people fleeing poverty and conflict from all around the world. Many of us understand that those who claim asylum here do so as a result of political instability that was historically caused by the UK's role in perpetuating a colonialist and imperialist system that bred injustice and violence. As advocates at Baobab, we are heartened by the excellent work of the organisations for migrant justice that we regularly collaborate with, and touched by the everyday generosity of non-migrants who have gone out of their way to welcome displaced people.

In light of our findings detailed in this report, we exhort the Home Office to pay more attention to the needs of women seeking asylum in the UK at the start of their case. To attain refugee status in the UK, asylum seekers must fit into the UNHCR's definition of refugees as having a 'well-founded fear of being persecuted for reasons of race, religion,

nationality, membership of a particular social group, or political opinion... and is unable to or, owing to such fear, is unwilling to avail herself of the protection of that country'. Although we know very well that SBGV is inflicted on women simply for being women, being female is not acknowledged as forming a 'particular social group', which means that the needs and circumstances of women fleeing violence frequently go ignored.

Because women make up 30% of asylum applications in the UK, much scholarly and media attention on forced migration focuses on men. Yet, as we have shown, women are likely to have suffered sexual violence and trafficking before reaching the UK's shores, and have poorer health outcomes during the asylum process compared to men. Our report has also detailed how their safety and wellbeing are further eroded by the mechanisms of the British state, often mirroring the hostility of domestic abuse. While the Women and Equalities Commission<sup>1</sup> (2023) gives concrete examples of how the Home Office can mitigate unequal effects for women, we strongly believe that more can be done for women seeking asylum, and have proposed some very viable solutions through this report. Implementing some of these solutions would go a long way in reducing the risks of women being trafficked, exploited, or exposed to violence.

This report offers evidence to back up what many charities and academics have written about for years. We must stop criminalising those who seek safety and a new life in the UK, and support women who have been forced into marginalisation to become independent, fully contributing members of society. We can do this by breaking down the barriers they face in accessing education and work opportunities. Above all else, women need to be believed when they tell their stories, as this already takes more courage than most of us can imagine. Many of the women we meet at Baobab have survived journeys that none of us would ever need to undertake by virtue of our undeserved privilege. Politicians in recent years have worked hard to create the stereotype of asylum seekers as deceitful 'economic migrants', when it is in fact our moral duty to offer those fleeing violence the support they need, to recover from the trauma they may have endured.

Citizens of the UK enjoy mostly unfettered freedom of movement. If the advocates at Baobab had one collective superpower, we would swap the lives of the Home Secretary and people who are hostile to immigrants with those of the women we support.

They too would have to make an arduous journey to the UK, smuggled and trafficked across deserts and dangerous seas. They would have to endure intimidating, discriminatory interrogations, be disbelieved, and then made destitute. They would be stripped of dignity and forced to spend months and years waiting to truly live.

They would change the system in an instant if they lived these women's lives.

*"They would change the system in an instant if they lived these women's lives."*

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<sup>1</sup> Women and Equalities Committee (2023) Equality and the UK Asylum Process, Report Summary, <https://tinyurl.com/6ydzfkwd>, accessed December 2023

# Appendix



## Appendix Part 1 Why a Trauma-informed Partnership Approach to Women's Asylum Claims and Support is Essential Sarah Taal

The Baobab Women's Project is an organization led by refugee and migrant women in the West Midlands to improve the handling of the gender aspects of women's asylum claims. It draws on the findings of a University of Birmingham project on sexual and gender-based violence (SGBV) against refugees from displacement to arrival (see SEREDA 2022). A quick glance into how the Home Office assesses a woman's need for protection suggests that it could better guide her through the process of seeking asylum by adopting a trauma-informed partnership approach.

### Home Office interviewing and decision-making

The interviewing techniques and decision-making mechanisms of the Home Office are meant to be gender sensitive and responsive to the needs of asylum claimants. However, the system is almost always confusing and the process takes an inordinately long time. In its caseworker guidance on asylum interviews (HO 2022), the Home Office should provide a positive, secure space in which people seeking protection feel comfortable enough to disclose sensitive information about their experiences. They should be allowed their dignity, treated with respect, and where a vulnerability is identified, steered towards appropriate support (HO 2022: 8/9).

*Yohanna, from Eritrea, came to the UK in 2016 and claimed asylum within days of her arrival. She had no passport and entered the country over land. She knew nobody in the UK, and her only information about how the system operated came from smugglers and others seeking sanctuary. She knew it was unsafe for her to remain in Eritrea, but had difficulty explaining why via her interpreter. The Home Office official treated her in an accusatory and angry manner. The*

*interpreter spoke in a different dialect from her and told her not to mention rape in her country because it would give their people a bad name. Although she wanted to answer the interviewer's questions correctly, she became confused by the rate at which they came, panicked and gave some incorrect information. The interview took a long time, and she was not allowed any breaks. She had received no legal advice before the interview.*

*Fatima flew to the UK from Iraq on a fiance visa in 2018, so only claimed asylum after her relationship with her fiance broke down and she became destitute. At this point, she was taken in by the Birmingham Community Hosting (BIRCH) Network, received support from Women's Aid and Baobab, and had access to a legal adviser before her interview. She became very upset during her substantive interview. The Home Office had already received a letter detailing her mental distress and trauma, and a Baobab advocate had asked that they treat her as a vulnerable woman. The Baobab advocate was called in during the interview and, after a discussion with the interviewer, it was agreed that Fatima needed to see a doctor before continuing.*

*Yohanna was refused protection and called incredible, but Fatima was granted refugee status. As these contrasting cases show, it is important how women are interviewed, for if they receive care and understanding, they feel better able to talk; and having advice before the interview can help them understand the need to give as many details as they can, even if they find it painful or shameful to do so. Good legal advice, specialist women's advocacy and a proficient interpreter are all imperative.*

### **Asylum support applications and terminations**

When people claim asylum, they are granted support if they are destitute; the procedure for deciding whether to grant it is rigorous. In terms of offering appropriate accommodation to vulnerable people, the Home Office should consider individual cases and offer something suitable. Its guidance states that people who have been tortured, raped or subjected to other serious forms of violence can be recognized as vulnerable persons with 'special needs' if there is a professional evaluation to document their claims (Asylum Support 2014: 21.1.2).

*Olu from Nigeria, came to the UK in 2018 and, in 2019, both claimed asylum and entered the National Referral Mechanism (NRM) for traffick- ing survivors. She backed up her claim with a letter of support from her GP, as well as one from an advocate about her accommodation needs. She was granted refuge accommodation, counselling and a 1-1 caseworker from Women's Aid during the NRM process; she later moved to dispersed asylum accommodation near her psychological support. She was able to process her past experiences of SGBV in a safe and supportive environment. She had a community around her and felt able to manage her feelings when navigating the system.*

*Selam came to the UK from Ethiopia and claimed asylum in 2021; she had been trafficked but was neither identified as a survivor nor processed through the NRM. She was given initial accommodation and then dis- persed to Birmingham. She had various health difficulties, including back pain, limited mobility and post-traumatic stress disorder (PTSD) following torture. She was unwell in both the initial and the dispersed accommo- dation. She was put in an upstairs room and could not get downstairs to use the bathroom or go outside to buy food. In fact, she became extremely ill and wanted to die. After being admitted to hospital, then discharged, she was given a downstairs room and her health gradually improved, although mental flashbacks and nightmares continued to plague her.*

Dispersal accommodation is often difficult to negotiate. Women who submit fresh claims after having been in the UK for some time have usually established their own local networks of support. Therefore, if they are undergoing hospital or psychological treatment, the Home Office can grant them local accommodation.

*Sara from Ethiopia, a survivor of both trafficking and SGBV, who was both undergoing counselling and in physical pain, was given local accommodation mainly because she was able to supply letters from her hospital, doctor and support worker that elucidated her needs. Hana from Eritrea, however, also*

## Appendix

*a survivor of trafficking and SGBV, was sent to a city outside her area mainly because she had not accessed GP care or counselling. Needless to say, Sara's health stabilized, whereas Hana's deteriorated. Whether women have supporting documentation often depends on who they meet, and who might have sent medical reports on their behalf to the Home Office for consideration.*

Unless they have children, women refused protection are evicted from their asylum support and left destitute.

*When Maya, who was without friends to help her, was refused protection and made homeless, she accessed a night shelter where she was raped by a man staying there who was offering to help her. Fahima engaged in survival sex to eat and put a roof over her head. This is a common story among refugee women (Dudhia 2020). It goes without saying that it is unsafe for women who have been subjected to SGBV to be evicted and forced into precarious situations to stay alive.*

Women are sometimes wrongfully evicted from the places in which they are staying, which can cause them great distress.

*Chloe had already submitted a claim for protection, so when the Home Office sent her an eviction letter, she launched an appeal against it. The Home Office then withdrew the eviction, stating that it had not received her recent claim and giving her another email to send it to. Although she re-sent her claim to the revised email address, her accommodation provider still came to the property to enforce the eviction order, and threatened to call the police if she refused to move. It was only after the formal intervention of a third party that she was advised that she could stay. As a documented survivor of torture who had been traumatized by a system refusing to protect her, having to worry about being made homeless on top of her ongoing concerns about whether her claim would be accepted was taking a heavy toll on her health.*

What type of support is provided has a huge effect on a woman's ability to navigate her way through and engage with the asylum system without too much distress. When women have suitable accommodation, the backing of a community and a network of supporters, they feel up to doing what is required to regularize their situation, such as attending interviews and securing advice from their solicitors. When placed in inappropriate accommodation they become ill and fight just to survive.

The granting of asylum status, refusals, psychological help and trauma-informed care Whether or not women are granted asylum status has a lot to do with the quality of the care and advice they receive throughout their asylum journey, and whether they can access safe accommodation near supportive networks.

Since being a refugee is inevitably associated with having experienced traumatic situations, all applicants for asylum should be offered access to psychological services. This is especially important in the light of the finding that the very act of having to recount their painful experiences to the representatives of various agencies, such as the Home Office, voluntary organizations, the NHS, and counsellors, rekindles rather than alleviates the trauma. Women find it shameful to discuss some of their experiences and, during their sessions at Baobab, frequently complain of suffering from flashbacks and headaches as a result. Their distress is particularly great when officials dismiss or disbelieve their accounts. Against Violence and Abuse, a UK-based charity geared towards ending gender-based violence and abuse, has been doing helpful work in this respect (see AVA 2018). More training needs to be available to all people who work with refugees so that they can provide gender and trauma-informed care.

In and of itself a trauma-informed approach is not enough; the techniques and methods that the practitioners use must also be trauma informed. If the right psychological help and care is provided from the start of the asylum process, the refugees emerging from the process will be more empowered and better able to engage in life after their asylum status has been secured.

## Appendix Part 2 Advice Letter Excerpt

Aliya Khan FCILex  
OISC Level 3  
Head of Legal Department  
Hope Projects Ltd

When you give documents to the Further Submissions Unit they are considered to see if they amount to (do they become) a fresh claim. There are two options open to the Home Office:

- Grant protection (refugee status or humanitarian protection) or leave to remain (e.g. on family life grounds); or
- Refuse to grant any form of protection or leave

If the Home Office refuse to grant protection, the Home Office then has a choice of the following:

- Treat it as a fresh claim and therefore give a right of appeal; or
- Refuse to treat it as a fresh claim and therefore say that the person should leave as they are in the UK illegally

For evidence to amount to a fresh claim the new evidence must not previously have been seen by the Home Office or the Judge. You must explain where this evidence came from and why you did not submit it earlier. Evidence which has always been available, will carry little weight. Also, the evidence will be considered together with previous evidence to see if you have a realistic prospect of success.

You may, alternatively, have a new case which is based on completely different grounds from your old case and has not previously been considered. This leads me to the second part of a fresh claim. You need to have realistic prospects of success. Therefore, a fresh claim is two things:

- Fresh evidence (new evidence) which when looked at together with your old case.
- Has a chance of winning.

The law sets out how the Home Office should look at whether you have a real chance of winning your case. The law states that you should start with what the First Tier Tribunal Judge said about you and what findings s/he made