

Meeting basic needs?

Exploring the welfare strategies of forced migrants

An ESRC funded study undertaken by Peter Dwyer and David Brown in the School of Sociology and Social Policy at the University of Leeds.

This qualitative study focuses on the welfare of forced migrants resident in the city of Leeds (UK). It highlights the extent to which poverty and social exclusion are a day to day reality for many forced migrants who are dispersed across the UK. The research, based on in depth interviews with 23 forced migrants and 11 key respondents, explored the role of formal and informal welfare agencies and the strategies of forced migrants themselves in meeting basic housing and financial needs.

Key Findings

- Forced migrants would prefer to be able to work so that they can take responsibility for their own well-being and contribute to wider society. Our sample contained forced migrants with skills that could be used in sectors of the UK's paid labour market currently experiencing labour shortages.
- We found that destitution is a real but largely hidden problem among those who are denied access to public welfare under 'section 55' rules, or because their asylum claim has failed.
- The basic housing and social security needs of many forced migrants are not being adequately met. The limited NASS social security benefits available to asylum seekers are set at levels that promote poverty and social exclusion.
- The basic accommodation and day to day needs of those forced migrants who are denied access to public welfare are increasingly being met by other forced migrants, charities and refugee community organisations (RCOs).
- Homelessness is a problem for many forced migrants. For those who receive a positive asylum decision this is due to the short transition period allowed for the move from the NASS accommodation into mainstream social housing and a general shortage of available social housing. Failed asylum seekers, many of whom remain in the UK, may become homeless on leaving NASS accommodation.
- Respondents reported that some of the housing provided through NASS contracts is of a very poor standard.
- It was reported to us that on occasions when forced migrants face hostility and abuse from neighbours they can find it difficult to secure moves to other locations.
- Evidence suggests that a number of those forced migrants who have no rights to public welfare and who are also denied the right to work are forced to engage in illegal paid work in order to survive.
- The specific socio-legal status assigned to a forced migrant is important in defining their right to public welfare. Many forced migrants are confused and demoralised by the workings of an asylum system that they do not understand.

Meeting basic needs?

Background to the study

Background to the study

Asylum seekers apply to the National Asylum Support Service (NASS) for basic housing and social security benefit. Following an induction period spent in emergency accommodation, individuals can choose between accommodation and subsistence or subsistence only support. Access to NASS support is, however, highly conditional. Individuals must be destitute and accommodation is offered on a 'no choice' basis with migrants dispersed to regions across the UK. Furthermore, under section 55 of the Nationality, Immigration and Asylum Act (2002) in order to be eligible for NASS support individuals must apply for asylum 'as soon as is reasonably practicable'; currently within 72 hours of entering the country. Under current rules asylum seekers are entitled to benefits worth 70% of income support. NASS meets its housing responsibilities by subcontracting to a mixture of accommodation providers including local authorities, housing associations and private landlords.

The research took place in the city of Leeds, England, a particularly good site for a case study on welfare and forced

migration. Yorkshire and Humberside has the highest regional population (20% of the UK total) of NASS accommodated asylum seekers and the biggest population within the region is resident in Leeds. Statistics from Leeds Refugee and Asylum Service show 2,460 asylum seekers living in Leeds on 01/09/04. This figure includes those receiving subsistence only support and unaccompanied minors but does not include those denied support under section 55 or failed asylum seekers /'overstayers'. Asylum seekers are mainly housed in the Leeds 7, 8, 9 and 11 postcode districts.

The Yorkshire and Humberside Consortium for Asylum Seekers and Refugees (established in 2000), consists of ten local authorities. As a member of the consortium Leeds City Council is contracted to NASS to provide 336 properties until October 2005. In June 2003 the council also negotiated a separate contract to provide 65 spaces in the 'Hillside' induction centre for newly dispersed asylum seekers. Three other agencies, the Angel Group, Clearsprings, (private companies) and Safehaven Yorkshire (a not for profit organisation), are also contracted to supply accommodation for dispersed asylum seekers. These landlords

provide approximately two thirds of asylum seekers' accommodation in Leeds, some of which they procure through sub letting arrangements with other local private landlords. Asylum seekers are mainly housed in the Leeds 7, 8, 9 and 11 postcode districts.

A range of informal welfare services is also provided by an assortment of charitable and voluntary agencies across the city. Many of these are supplied by the key respondents interviewed in the study. In addition there are a growing number of Refugee Community Organisations (RCOs) which offer differing levels of advice, companionship and support. Such services, alongside welfare provided directly by other forced migrants, who themselves live in highly constrained circumstances, are vital for the day to day survival of those without welfare rights i.e. those denied support under section 55 rules and failed asylum seekers/'overstayers'.

Method and sample

In total thirty four respondents took part in the fieldwork. The research discussed below draws on data generated in semi-structured qualitative interviews with 23 forced migrants (FM) and 11 key respondents (KR) involved in the delivery of welfare services. A purposive

Meeting basic needs?

A tiering of entitlement

non random sampling technique was used and 5 refugees, 7 asylum seekers, 6 people with subsidiary humanitarian protection status and 5 failed asylum seekers/'overstayers' were interviewed. 13 of the forced migrants were male and 10 were female. Ages ranged between 21 and 57 years. Migrants identified 9 countries of origin i.e. Afghanistan, Democratic Republic of Congo, Iran, Iraq, Iraqi Kurdistan, Kosovo, Pakistan, Somalia, and Zimbabwe.

A tiering of entitlement

Since 1993 five consecutive pieces of legislation have widened the gulf between the social rights enjoyed by UK citizens and forced migrants who enter Britain. The present government has consolidated the approach of its Conservative predecessor in seeking to exclude forced migrants from the mainstream social welfare system. Simultaneously, any remaining welfare entitlements for those seeking asylum have

been reduced. The situation in relation to meeting the basic needs of forced migrants is further complicated due to the stratified system of limited welfare entitlement that now exists within the broad population of forced migrants.

This study explores the welfare needs, rights and strategies of forced migrants who are assigned to one of a number of linked different socio-legal categories. Four groups each with different rights to welfare can be identified:

- **Refugees** – welfare rights on the same basis as citizens; they enjoy rights to work and family reunion.
- **Asylum seekers** – those making a claim for refugee status; welfare rights vary considerably; those lodging new 'in country' claims effectively have no rights to public support; they are not allowed to work (since July 2002); no rights to family reunion.
- **Humanitarian protection /discretionary leave status** – (previously known as exceptional leave to remain) granted for periods of up to 3 years; the same welfare rights as citizens, they may work, but lack rights to family reunion.
- **Failed asylum seekers/'overstayers'** – asylum seekers whose claims have been turned down and who have no legal right to remain and thus no recourse to social welfare rights or paid work.

Meeting basic needs?

Social Security / Destitution

Meeting basic needs?

The study provides evidence that the financial support and housing arrangements currently available to forced migrants are in many cases inadequate. Forced migrants routinely experience poverty and social exclusion.

Social Security

The clear view of the overwhelming majority of forced migrants interviewed (20 out of 23) is that for those with some rights to social benefits, welfare had been reduced to little more than subsistence level. Those without rights are literally counting pennies.

For eating its ok, but not for clothing, not for other things. Its just to survive

(FM10 asylum seeker).

We are very careful with money we don't buy extra things. So clothes, food... We don't buy other things because we can't, it's difficult

(FM3 refugee).

Sometimes you can't even afford to eat. The 23 pennies to buy a loaf of Tesco bread, its not every day, but sometimes you won't even get that money

(FM5 failed asylum seeker/overstayer).

Destitution

Accurate statistics on the number of forced migrants who are now destitute in Leeds or across the UK are unlikely to emerge due to the clandestine nature of the problem. The destitution of failed asylum seekers/overstayers' and those deemed ineligible for NASS support under section 55 rules was evidenced in the study. The stark impact of a policy that removes all rights to public support from some forced migrants is clear.

With section 55 we're seeing some people who are not eligible for support when they apply. A couple of weeks ago I had an eight month pregnant

woman who was destitute, couldn't get social services to take her on as a pregnant woman, you know in relation to the unborn child, and NASS were saying that she'd not applied for support in enough time,... so obviously that had massive implications for her. At the other end destitute people who have come to the end of the process who go home to find their bags on the doorstep. There's been no move to deport them and they have got nowhere to go at all

(KRI).

To be honest sometimes, depending on the weather conditions we just find something to see us through the next morning... Just walk by sometimes and just find

Meeting basic needs?

Accommodation and housing

a corner to just sleep in... At one stage it was terrible, very cold in the night and we didn't have enough to cover ourselves and it was traumatic. All night... you are shaking, you are trembling (FM18 asylum seeker section 55).

There is no way I can find money. In this country I'm not allowed to beg and I'm not allowed to work so I don't even have accommodation to live in. I live here and there, here and there. I don't know what to do (FM6 failed asylum seeker/overstayer).

Accommodation and housing

The study highlights several housing issues that need to be addressed. Some accommodation provided to asylum seekers through NASS contractors is of a poor

standard and inadequately maintained. This appears to be a particular problem within private sector provision. For example, a migrant who previously (legally) worked for a private provider related the following:

One family... one lady with two babies... her house was leaking from the toilet. The carpets were very bad, they were torn everywhere. The sofas were very, very bad condition, believe me if you threw it away nobody would take it... The kitchen was leaking water, the wallpaper all came off from the lounge because of the water. The water was coming down, she had TV it was coming on top of the [electricity] sockets... it was very dangerous. I took it to NASS five or six times about this family and

nothing really happened... [finally] The ceiling came down on the floor and then they changed her house (FM19 asylum seeker).

Racially motivated harassment and anti-social behaviour by neighbours is a significant problem. Respondents who face such behaviour often find it hard to secure a move.

They used to drink at night to the early hours. They would shout and make noises. They would throw beer cans and bottles. They would knock on the door. In the morning we would take the children to school and they would abuse us verbally and if they saw the children on their own they would beat them up. They had to go to hospital. The police were also involved at the time (FM9 exceptional leave to remain).

Meeting basic needs?

Self help and charitable provision

Ultimately this respondent was rehoused. However, this second property is too small for his family's needs (his teenage sons and daughter share a bedroom), and, in spite of the council's efforts, this family have suffered further harassment since relocation.

Beyond concerns about standards and suitability of accommodation, homelessness remains an issue for forced migrants. In 2003 Leeds Council received a total of 337 applications from people who recorded the cause of their homelessness as being a refugee. Three factors are important here. First, the demand for social rented property in Leeds outstrips supply. Second, for many of those who receive a positive asylum decision, the 28 day transition period allowed for individuals to leave NASS accommodation proves to be insufficient to secure new housing. Third, migrants whose case for asylum is dismissed are sometimes evicted or choose to leave NASS accommodation and fend for themselves.

[The respondent is told] 'You have to move. NASS won't pay [the contractor] any

more rent' I said where am I going to go? And he said go to a hostel. I told him I can't... but he said go. I left... and was homeless

(FM20 refugee).

They said fine we'll change the key, so I ended up leaving that house because they changed the lock

(FM7 failed asylum seeker/'overstayer').

Self help and charitable provision

There is strong evidence to suggest that those who have limited or no rights to public welfare are increasingly reliant on other forced migrants or charities for emergency accommodation and basic day to day necessities.

I know of some houses where 10 people live together because one of them gets 4 years [ELR] and the

council gives him a house and another 9 people are refused. They don't have any other place to go, they stay with a friend

(FM11 exceptional leave to remain).

Look at me you're looking at a pauper... let me use the word we're scrounging, just scrounging, there is no structure of survival. We are merely existing and I don't know why in the first world people are allowed to go like that...

We have been having food from this couple they support us, some other times well-wishers just throw you a food parcel... Once or twice I've got a food parcel from St George's Crypt... Things need to change. Its inhuman for this kind of treatment especially for close to one year (FM18 asylum seeker section 55).

Meeting basic needs?

Work as the best form of welfare

Work as the best form of welfare?

All of the forced migrants who took part in the study want to work. They want to take responsibility for their own well-being and contribute to wider society. Apart from one dissenting voice, all the key respondents interviewed believed that it would be appropriate for forced migrants to be able to work whilst their asylum case is being considered. Many respondents believed this would help counter any negative perceptions of forced migrants as welfare dependants. Others pointed out that the skills that migrants possess could be put to good use in sectors of the UK's paid labour market currently experiencing labour shortages.

We don't need accommodation and NASS support we need to be able to work!
(FM23 asylum seeker).

There are whole industries in this country reliant on immigrant labour. There is a labour shortage... not allowing people to work is appalling (KR3).

We are talking the cream of [the country of origin]... teacher, nurses, doctors all professions, engineers and when they come here they are stood in the corner
(FM2 refugee).

For some forced migrants denied access to welfare and the legal right to work, illegal work becomes the only realistic option.

At the moment I don't have a choice... I'm working because I have to... It is the only way. I'm doing black [illegal] work which pays my rent, pays for my

food... many work, they don't have permission, they are illegal and they work in black work. They can't do anything. My friend worked for one month. After one month, every week he [the boss] said I will pay you next week, next week, next week. Yet after he had earned £500 or £600 he said I've had enough I need money, pay my money and he [the boss] paid him £400. 'I don't pay you any more, do anything that you want to do, go to police or go wherever you like' (FM12 failed asylum seeker/'overstayer').

Such forced migrants are open to exploitation from unscrupulous employers. FM12 works in the fast food industry for £2 per hour. He works six long days for around £150 a week.

Policy recommendations

- The government should take the opportunity presented by the current review of section 55 to terminate its use.
 - Asylum seekers who opt for subsistence only support from NASS should receive benefits equivalent to 100% of income support. In a small way this would help to offset any additional accommodation costs that they have to bear.
 - NASS needs to take steps to ensure that all contractors supply and maintain accommodation to a standard that is fit for human habitation.
 - NASS needs to ensure that all housing contractors routinely record and respond effectively to incidents of racist harassment suffered by asylum seekers. This needs to include a system of rapid rehousing for asylum seekers who face physical violence and/or repeated abuse.
 - NASS could take the opportunity presented by the current fall in the numbers of asylum seekers entering the UK and the discussions about new contracts for 2005 to ensure improvements in the quality of accommodation and support services provided to dispersed asylum seekers.
 - It may be appropriate for Local Authorities to take a lead role in the management of provision for dispersed forced migrants in future. This may help to ensure a more co-ordinated approach to the provision of services for dispersed asylum seekers and ensure that such services are open to public scrutiny.
 - A longer transition period and enhanced personal support should be made available to asylum seekers who receive a positive decision and are faced with the switch from NASS to the mainstream welfare system.
- This would help to combat homelessness.
- Asylum seekers should be granted permission to undertake paid work whilst their asylum claim is being assessed and/or undergoing appeal within the legal system.
 - Non returnable asylum seekers (i.e. failed asylum seekers/ 'overstayers' who are not returned by the government due to the human rights situation in their country of origin), should be allowed to engage in paid work or be provided with adequate support through the public welfare system for as long as they remain in the UK. This is in line with recommendations made by the House of Commons Home Affairs Committee 2004.
 - The government's 'one off exercise to allow families who have been here for at least three years to stay' (announced Oct 2003) should be extended to include single forced migrants.

Further Information

Further enquiries via email to: p.j.dwyer@Leeds.ac.uk or telephone: 0113 343 4717

A number of research papers, further copies of this summary and a full copy of the final research report can be downloaded for free at <http://www.leeds.ac.uk/sociology/people/pddocs/>

This research was funded by the Economic and Social Research Council under grant number RES-000-22-0377.

