

**Oxfam Cymru written evidence for the Communities, Equality and Local Government Committee of the National Assembly for Wales public consultation, as part of its inquiry into Poverty in Wales.**

**Strand 1: Poverty and Inequality – November 2014**

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Oxfam Cymru welcomes the opportunity to submit additional written evidence to the inquiry to support our oral evidence session on 3<sup>rd</sup> December. As requested this submission provides further detail on our work with asylum-seekers and refugees in Wales. We work extensively in partnership with other organisations, and we are grateful for the information they have gathered which has helped us compile this briefing.

Oxfam has a long history of working with asylum-seekers and refugees, particularly in Wales over the last decade. We are part of the City of Sanctuary movement <http://www.cityofsanctuary.org/> and the Still Human Still Here coalition <http://stillhumanstillhere.wordpress.com/>, which campaigns to end the destitution of thousands of refused asylum-seekers in the UK. We also endorse the Asylum Aid Women's Asylum Charter <http://www.asylumaid.org.uk/data/files/publications/180/Charter.pdf>, the findings and recommendations of which are supported by our programme experience.

**Key definitions**

An **asylum-seeker** is someone who has entered the process of claiming asylum, or seeking the protection of the United Kingdom. Asylum can be sought by anyone who makes their claim known to the authorities. While waiting for a decision, an asylum-seeker is not allowed to work. There is a special arm of the Home Office, the National Asylum Support Service (NASS), which financially supports individuals who are not able to support themselves while waiting for a decision. A single asylum-seeker over the age of 18 gets £35.13 per week, which is approximately 55% of what someone on Income Support would receive.

A **refugee** is someone who has been judged by the Home Office to have a credible claim to asylum. They are no longer supported by NASS and are regularised into the mainstream support network of JSA, Universal Credit, Housing Benefit, until they are able to find employment and can support themselves.

A **refused asylum-seeker** is someone who has been judged by the Home Office to not have a credible claim to asylum. Refused or 'failed' asylum-seekers can often appeal the Home Office decision.

There is **no such thing** as an **illegal asylum-seeker**. Both the UN Convention and Article 3 of the European Convention on Human Rights, which the United Kingdom has signed, make the ability to apply for asylum a right enshrined in British law. Asylum-seekers that enter the UK without passing through border controls have the right under Article 31 of the UN Convention not to have that held against them when deciding an asylum claim, if there is good reason as to why they entered the country unlawfully.

The modern asylum system began after the Second World War, when signatories of the *1951 UN Convention relating to the Status of Refugees*, including the United Kingdom, vowed to never allow the events of the holocaust to happen again. It set in place the legislative framework to allow those who are in fear of persecution to seek the protection of another country, if their own state is unable or unwilling to protect them.

Very few people travel as far as Britain to claim asylum, most flee to the nearest safe place. Under the Dublin III Regulation (signed by most EU members), the first signatory country that comes into contact with an asylum-seeker must process and decide on the asylum claim, if one is made.

Research<sup>1</sup> conducted on behalf of the Refugee Council demonstrates that most asylum-seekers interviewed did not have the United Kingdom as their final destination when needing to flee their country, nor did they have a clear understanding of what the system of support would be like.

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<sup>1</sup> [http://www.refugeecouncil.org.uk/policy\\_research/research/p2](http://www.refugeecouncil.org.uk/policy_research/research/p2)

## Sanctuary in Wales Project

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Oxfam Cymru is currently co-ordinating a 3 year Big Lottery funded project in the 4 asylum dispersal areas of Wales – Cardiff, Swansea, Newport & Wrexham – alongside our partners Oasis Cardiff <http://oasiscardiff.org/>, African Community Centre <http://www.africancommunitycentre.org.uk/>, Displaced People in Action <http://www.dpia.org.uk/>, BAWSO <http://www.bawso.org.uk/> and Business in the Community [www.bitc.org.uk/wales/index.html](http://www.bitc.org.uk/wales/index.html).

Through previous work looking at gender issues within the asylum system, Oxfam identified a need for women seeking sanctuary (refugees and asylum-seekers) to receive intensive and tailored support in order to build their confidence, to be active within their local communities, and to be ready and able to gain employment. Many women seeking sanctuary often feel isolated from their local communities and marginalised by society at large. Their unemployment rate is 6-10 times the national average. This leads to poverty, poor mental & physical health, inadequate housing, and many other disadvantages for women and their children.

The Sanctuary in Wales Project is focused on enhancing and building upon the skills and experience of women asylum-seekers and refugees, and Business in the Community source and match voluntary placement opportunities for women interested in gaining UK experience. In parallel to these activities, the project engages employers and service providers to inform and support them to ensure the accessibility of sanctuary seeking women. Community English classes and regular women only drop-ins aim to reduce isolation and help sanctuary seeking women build social networks and access support services as well as volunteer-run Friends and Neighbours (FAN) Groups to help foster understanding and friendship amongst the host and sanctuary seeking community.

### Our Project Partners

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**Oasis Cardiff** <http://oasiscardiff.org/> has been an active partner of Oxfam's over the past 6 years. As a partner in our current Sanctuary in Wales Project, Oasis's Support & Development Officer provides support to refugee and asylum-seeking women to move into employment, education or training. Working on a one-to-one and group basis, the Support & Development Officer helps individuals to identify their strengths and ambitions and works to source volunteer placements and mentors in sectors of their choosing, with the assistance of partner Business in the Community. A weekly drop-in (with crèche onsite) is run for women and a weekly English class, delivered by women trained by Swansea University as community English teachers.

**The Sanctuary, Bethel Community Church** <http://www.bethelnewport.co.uk/sanctuary/> has been an active partner of Oxfam's over the past 4 years. Bethel Community Church welcomes asylum seekers and refugees, and includes a significant number of people from asylum seeker and refugee communities as a part of its weekly congregation. The Sanctuary currently runs 3 drop-ins for asylum seekers and refugees of any faith, 2 for women and children and 1 for men and weekly English classes, together with additional social activities and wraparound support.

As part of our Sanctuary Project, **BAWSO** <http://www.bawso.org.uk/> provides support to refugee & asylum seeking women through a dedicate Gender & Refugee Support Officer. BAWSO run a weekly women-only drop-in in Wrexham centre, which is an opportunity for women to improve their English and get involved in informal information and confidence-building activities. The Gender & Refugee Support Officer will also be running a Human Rights Advocacy Course for sanctuary seeking women to equip them with the knowledge and confidence to represent themselves and peers to service providers and others. BAWSO also work with partner organisations to build and maintain support networks for refugee and asylum seeking women in Wrexham. BAWSO will work with Oxfam to develop and deliver a training programme for service providers on how to meet the differing needs of women sanctuary seekers.

**The African Community Centre (ACC)** <http://www.africancommunitycentre.org.uk/> is committed to breaking down barriers, promoting participation and community cohesion. As part of our Sanctuary Project, the ACC supports refugee & asylum-seeking women to move into employment, education or training. This includes the provision of a weekly drop-in facility for the women and training for a small number of participants (carried out by Swansea University) to equip them to deliver English language classes for other women. Working on a one-to-one and group basis, the Support & Development Worker helps individuals to

identify their strengths and ambitions and works to source volunteer placements and mentors in sectors of their choosing.

As a partner in our current Sanctuary in Wales Project, **Displaced People in Action's** <https://dpia.org.uk/> Support & Development Officer provides support to refugee and asylum-seeking women to move into employment, education or training. This includes support for The Sanctuary weekly women's drop-in facility and training for a small number of participants (carried out by Swansea University) to equip them to deliver English language classes for other women through the drop-in. Working on a one-to-one and group basis, the Support & Development Officer helps individuals to identify their strengths and ambitions and works to source volunteer placements and mentors in sectors of their choosing, with the assistance of partner Business in the Community.

**Business in the Community** <http://www.bitc.org.uk/> is a national membership organisation committed to transforming business and transforming communities. Their aims are to build resilient communities, diverse workplaces and a more sustainable future. The Placements Officer works with Support & Development Officers in our partners in Cardiff, Swansea and Newport to match sanctuary seeking women to appropriate voluntary and work placement opportunities. They also help to source mentors who can 'job coach' participants and assist them in their chosen career paths.

## Policy issues

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This is a snapshot of some of the policy issues identified through working with partners, but the list is by no means exhaustive.

- Home Affairs Select Committee Report (October 2013) <http://www.parliament.uk/business/committees/committees-a-z/commons-select/home-affairs-committee/news/131011-asylum-rpt-published/> outlined the problems with initial decision making (30% of initial decisions are overturned on appeal) which indicates the need for more resources and better decision-making at the initial stage, to give individuals and families a fair hearing and to make the system more efficient. Some of the women we work with in Cardiff have been seeking asylum for more than 5 years, some people elsewhere in Wales have been waiting a decade or more.
- The stripping back of funding for asylum support services (new asylum support contract saw loss of in-person support to telephone/online only since April 2014) is resulting in a lack of appropriate, tailored support for the most vulnerable when it is most needed. The loss of advocacy support with the new contract also means that the amount of advice and support that the new provider can give is limited, and links with other services (social workers, health & education) are more tenuous. Women and their families accessing the project have been left temporarily destitute because of delays in the asylum "move-on" process (the process of movement from 'asylum-seeker' to 'refugee' status) simply because of a lack of connectivity between the Home Office and the Department of Work and Pensions, and to a lesser extent, local authority provision. This is simply unacceptable.
- Housing that is offered to asylum-seekers and its associated support is contracted centrally with private providers with little regard to how local authority and third sector provision of services and support exist. There is limited ability for asylum-seekers to complain about the quality of housing (normal landlord / tenant legislation does not apply), and it is often far below the quality that we would consider acceptable for tenants in social housing, for example. The UK Government's Public Accounts Committee has itself said the COMPASS housing contract "change was poorly planned and badly managed and is unlikely to yield the savings intended." <http://www.parliament.uk/business/committees/committees-a-z/commons-select/public-accounts-committee/news/asylum-accommodation-substantive/>
- A significant proportion of an asylum-seekers' financial support is spent on transportation between their house and accessing essential support systems that are critical to a successful resolution to their case and to access everyday places of support. Those who are on NASS Section 4 Support, usually refused asylum-seekers who cannot be returned to their country of origin for a range of reasons (this could include women in the last stages of pregnancy) are only given support through a

pre-paid voucher scheme, not cash. These cards cannot be used on public transportation, so it makes movement around the city extremely difficult, if not impossible.

- The need for improved ESOL provision. This includes improvements in the local availability and access to ESOL classes. Barriers exist preventing people, particularly women, accessing ESOL classes including a lack of childcare and transport as well as issues around the timings of classes. With classes commencing annually, individuals who arrive at other times in the year are often forced to wait many months before accessing formal provision, and the provision of more advanced ESOL Level 2+ classes is incredibly limited and not adequate to support the need identified.
- Employability support in Wales needs to be improved. This includes improving the interface between UK Government and Welsh Government-funded employability support, and improving understanding that refugees have many different skills that they bring with them.
- Access to higher education for asylum-seekers is limited by the approach of institutions to treat asylum-seekers as international students in most instances. This limits many of the women we work with and their children from progressing beyond further education (FE) options, thereby effectively excluding them from certain professional work which they may be suited to and previously qualified for. This, alongside patchy childcare provision during full-time FE courses, means limitations on up skilling and preparing for work once given the right to do so.
- In some instances, the lack of skills to be able to gain employment can also act as a barrier to understanding the benefit system, claiming entitlements and raising concerns about barriers to employment with benefits advisors. This situation is likely to be exacerbated by the introduction of Universal JobMatch and Universal Credit, online systems which pose serious digital inclusion issues. The extended conditionality regime being introduced as part of the UK Government welfare reform agenda and issues around digital inclusion are likely to force more people into poverty. It is clear from Oxfam's work that face-to-face support with benefit claims and job search will still be needed for many people. It is essential that the findings from the DWP Universal Credit Pathfinder projects in the north-west of England are disseminated at the earliest opportunity so that best practice in both identifying those in need of face-to-face support and delivering this support can be achieved. Limited access to and use of translation services in Jobcentre Plus has already led to misunderstandings leading to sanctions for people our project supports, where there was no intention to transgress commitments, merely a lack of understanding the process and terminology.

## Further Reading

- Oxfam's research on destitution among refused asylum seekers <http://policy-practice.oxfam.org.uk/publications/coping-with-destitution-survival-and-livelihood-strategies-of-refused-asylum-se-121667> documented the humiliating and degrading strategies adopted by destitute asylum-seekers in the UK. Access to publicly funded services is a universal right and a vital part of the safety net for people. No-one in the UK should live in destitution (with no recourse to public funds). Considering the quality of initial decisions, the UK Government should re-consider its policy on how it supports those who are failed asylum seekers and are no recourse to public funds.
- Women for Refugee Women report: *Detained: Women Asylum Seekers Locked up in the UK (2014)* <http://refugeewomen.com/wp-content/uploads/2014/01/WRWDetained.pdf>. Seeking asylum is not a crime, it is a human right, and whilst a country has the right to control who enters its borders, it is unjust to arbitrarily imprison anyone while resolving if the UK wishes to extend its protection towards them. This report provides an up-to-date and incisive view of how women experience the UK asylum process and the demands that the system places on them to prove that they have experienced gendered forms of violence.

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