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# Meeting basic needs? Exploring the welfare strategies of forced migrants

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## **Meeting basic needs? The welfare of dispersed forced migrants in Leeds.**

### **Introduction.**

As a general election looms issues of migration and more particularly debates about asylum seekers are once again top of the political agenda. Aware of a popular perception in some quarters that Britain is seen as a 'soft touch' on asylum, it would appear that the mainstream political parties are engaged in trying to convince the electorate of the need to get tough with migrants, who it is often implied, come to take 'our' jobs or exploit the generosity of welfare systems rather than seeking refuge from persecution. Although certain politicians seem keen to exploit such views in order to chase votes the reality is that many forced migrants resident in the United Kingdom routinely face poverty and social exclusion as part of their everyday life. In spite of much current political rhetoric, life for many forced migrants resident in the Yorkshire and Humberside region is tough enough already. The purpose of this short article is to highlight the main findings that emerge from a recently completed qualitative study (funded by the Economic and Social Research Council), which focuses on the basic welfare of forced migrants resident in Leeds. Prior to such discussions it is important, however, to briefly outline relevant national policy and the local context of the Leeds research.

### **National policy a decade of legislation**

The period 1993 to 2004 has seen five pieces of legislation enacted in response to the increasing number of people seeking asylum in the UK. Essentially the present New Labour government has consolidated the approach of its Conservative predecessors. The Immigration and Asylum Act (1999) saw the establishment of the National Asylum Support Service (NASS) to which asylum seekers have to apply for basic housing and social security benefits. Following an induction period spent in emergency accommodation, individuals can choose between accommodation and subsistence or subsistence only support. Access to public welfare is highly conditional. Asylum seekers must be destitute, accommodation is offered on a 'no choice' basis and migrants have to agree to be dispersed to regions across the UK. Furthermore, the now infamous 'Section 55' of the subsequent Nationality and Immigration Act (2002) stated that individuals must apply for asylum status 'as soon as is reasonably practicable' in order to retain eligibility for NASS provisions. Ultimately this Act pushed thousands of in country asylum claimants into extreme poverty or destitution, (see e.g. Refugee Council, 2004a). Most recently the Asylum and Immigration (Treatment of Claimants etc.) Act (2004) has further diminished the welfare rights of forced migrants. Three common themes can be traced across this decade of legislation. First, is a focus on deterrence where policy has been used in an attempt to reduce the numbers seeking asylum. Second, is a concerted attempt to exclude forced migrants from the mainstream welfare systems that citizens are able to call upon. Third, is a reduction of the welfare rights that are made available to forced migrants who manage to enter the UK.

The situation in relation to meeting the basic needs of such migrants is further complicated due to the stratified system of limited welfare entitlement that now exists within the broad category of people who can be labelled forced migrants. Four groups

each with a different socio-legal status and, therefore, variable 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 ‘in country claims’ more than 72 hours after entry’ effectively have no right 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 i.e. ELR), 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 right to remain and thus no recourse to social welfare or (legal) paid work.

### **Dispersal in action: the Leeds based study**

Against this policy backdrop our study explored the welfare needs, rights and strategies of forced migrants dispersed to Leeds. Yorkshire and Humberside has the highest regional population (20% of the UK total), of NASS accommodated asylum seekers. Leeds is a particularly good site for a case study of dispersal as the biggest population of asylum seekers within the region is resident in the city (Home Office, 2004). Statistics show 2,574 asylum seekers accommodated in Leeds on 1/9/04. This figure does not include ‘failed asylum seekers/overstayers’, those with ‘subsistence only’ support from NASS, nor those denied support under Section 55. It does include unaccompanied minors cared for by the social services (LRAS, 2004).

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 the bulk of asylum seekers’<sup>1</sup> accommodation in Leeds some of which they procure through sub letting arrangements with other local private landlords. 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.

### *Method and sampling*

Thirty four respondents took part in the fieldwork which consisted of two sets of semi-structured qualitative interviews; 23 with forced migrants and 11 with key respondents involved in the delivery of welfare services. A purposive 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. 14 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.

Interviews were conducted between 30/1/2004 and 21/6/2004 and lasted on average 60 minutes. Two ethical principles underpinned the fieldwork; informed consent and confidentiality. Forced migrants who participated each received a £20 supermarket voucher. All migrants were offered the use of a suitable interpreter but the majority chose to be interviewed in English. Interviews were recorded on audiotape and transcribed verbatim.

### *Poverty, destitution and homelessness*

Our study serves to counter the view that forced migrants enjoy access to advantageous welfare support. Benefits available to forced migrants are set at levels that promote poverty. Successful asylum seekers who achieve refugee status often end up homeless because they are only given a short time to move from NASS accommodation into mainstream housing which is often short supply. Those whose claims are turned down, i.e. failed asylum seekers/‘overstayers’, but who are not returned to their country of origin, (either because they go into hiding or because the government is not enforcing their return for human rights reasons), effectively have no rights to welfare; nor are they allowed to take up paid employment. Many simply disappear and the real extent of destitution remains unknown. However, the most recent study available, records 504 incidences of destitute forced migrants seeking help from five agencies within Leeds between 15<sup>th</sup> November and 17<sup>th</sup> December 2004 (LDSG, 2005). Their situation was succinctly summarised by one respondent whose application for asylum had been refused. He noted;

*“There is no way I can find money...In this country I’m not allowed to beg and I’m not allowed to work. I don’t even have accommodation to live in.”*

A nurse who worked with forced migrants in the city also reported,

*“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 there are destitute people who have come to the end of the process who go home to find their bags on the doorstep. There has been no move to deport them and they have nowhere to go at all.”*

### **Key findings**

These can be summarised as follows:

- We found that destitution is a real but largely hidden problem among those who are denied access to public welfare under ‘section 55 or because their asylum claim has failed.
- The basic social security and housing needs of many forced migrants are not being met. The limited NASS 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.
- Homelessness is a problem for many forced migrants. For those who receive a positive decision this is due to the short transition period allowed for the move from NASS accommodation into mainstream 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 welfare and are also denied the right to work are forced to engage in illegal paid work in order to survive.
- Forced migrants would prefer to be able to work so that they can take responsibility for their own well being and contribute to society. Many have skills that could be used to plug current gaps in the paid labour market.

## **Conclusions**

It should be noted that a number of these findings are not peculiar to Leeds, indeed, many are replicated in other studies that look at the welfare of forced migrants within the Yorkshire and Humberside region (e.g. Graig et al 2004), across the country and further a field (e.g. Robinson et al, 2003, Edgar et al 2004). We make a number of policy recommendations in light of the study. Space dictates that only two can be briefly considered here. First, we recommend that the government should end the use of 'section 55' which denies access to basic welfare to anyone who does not make a claim for asylum within 72 hours of entering the country. Following successful challenge in the courts, section 55 is currently suspended and under review. However, the government is planning an appeal to the House of Lords and it still appears committed to the policy in the longer term. Second, we also recommend that asylum seekers who receive a positive decision should receive enhanced support to help them secure a home and organise their life once they have acquired refugee status or other leave to remain. The Home Office recently announced it is to pilot an enhanced package of support for such migrants under the SUNRISE programme early in 2005 (Home Office, 2004b). Any improvement in the welfare available to forced migrants who remain in the NASS system whilst awaiting a decision and those whose claim for asylum has been refused is, however, unlikely in the short term. The basic needs of forced migrants will continue to be marginalized for as long as the main political parties believe that an electoral advantage can be gained by being seen to be 'tough on asylum'.

## **Further information**

*'Meeting basic needs? Exploring the welfare strategies of forced migrants'* was a year long study undertaken by Dr Peter Dwyer and Mr David Brown in the School of Sociology and Social Policy at the University of Leeds. It was funded by the Economic and Social Research Council under grant number RES-000-22-0377. A pdf

summary of the research, two papers and the end of award report can be downloaded for free at:

<http://www.leeds.ac.uk/sociology/people/pdocs/>

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<sup>i</sup> On 29<sup>th</sup> February 2004 1737 asylum seekers were non LCC supported and 814 supported by the council (LCC, 2004).