

Nottingham & Nottinghamshire Refugee Forum

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Registered charity number 1086962

12.9.03

Dear NNRF supporter

Emergency fund for destitute asylum applicants

You may already be aware that some asylum applicants have been denied accommodation and financial support by the Home Office while their claims for asylum are being processed. This came about under Section 55 of the Nationality, Immigration and Asylum Act 2002, which says that asylum applicants will only be granted NASS (National Asylum Support Service) support if they can show that they made their application for asylum "as soon as reasonably practicable". The implications of this are still being worked out in the courts after appeals were launched on behalf of asylum seekers by national refugee and human rights groups.

In the meantime there is another group who have been left without support who are receiving much less publicity. These are people who have received a refusal of their asylum claim. Following the refusal, all asylum applicants without dependent children lose their NASS support. If they can demonstrate that an appeal against the refusal has been launched, NASS support will be continued. Nonetheless, mistakes are made, notifications of appeal do not always reach the right place and support may still be withdrawn. Families with children have also had their support cut off as a result of error. It can take several weeks before these mistakes are rectified, leaving all those affected destitute for that periods.

Some extremely limited support may be available under Section 4 ("hard case support") of the Asylum and Immigration Act 1999. This support is discretionary. It is not available to those who apply for judicial review, even though this is still part of the legal process. Those granted support under Section 4 are required to sign a statement that they are willing to co-operate in their own deportation (to the country from which they have fled) should their appeal fail. This is in reality a return under duress. For many asylum applicants, who have already suffered a great deal, this is simply too much to bear and they prefer to remain destitute than move away or sign to co-operate in their own deportation.

Asylum applicants may remain destitute for many months. This may be a result of delays in the appeal process. It may also be because the Home Office, having refused an asylum applicant leave to remain, may find that it is impossible to return the person to his/her home country since the situation is so dangerous or that country is unwilling to accept the person.

NNRF has seen increasing numbers of people left destitute in recent months by the withdrawal of their support. Below are some examples of people affected:

- A Kurdish woman from Turkey who has 3 children. Her NASS support was withdrawn in error after her application was refused, even though the legal process was still continuing and she had children under 18. She and her children were left destitute for 3 months, before NASS support was re-instated, following intervention by NNRF.
- A Somali asylum applicant with 3 children had her NASS support withdrawn in error after her asylum application was refused, in spite of an appeal being launched. The family was left destitute for 4 weeks until NASS support was re-instated following intervention by NNRF.
- A male asylum applicant from Afghanistan had his NASS support withdrawn after he was refused asylum. He had no legal representation at his initial interview. A request has been made for his case to be remitted for a fresh hearing. He has been destitute for over 6 months.
- A male asylum applicant from Eritrea had his NASS support withdrawn in January and he has been destitute since. His asylum application was refused and he was also refused leave to appeal to the Immigration Appeals Tribunal. During this period he has had health problems resulting in 2 admissions to a Derby hospital, in January and again in April.
- A male asylum applicant from Zimbabwe had his application refused and NASS support withdrawn. He has been destitute since September 2002.
- A male asylum seeker from the Democratic Republic of Congo had his NASS support withdrawn in early July. He did not receive the letter notifying him of the adjudication hearing. The solicitor requested permission to lodge an appeal in February but he has heard nothing to date. He is diabetic and needs to eat regularly.

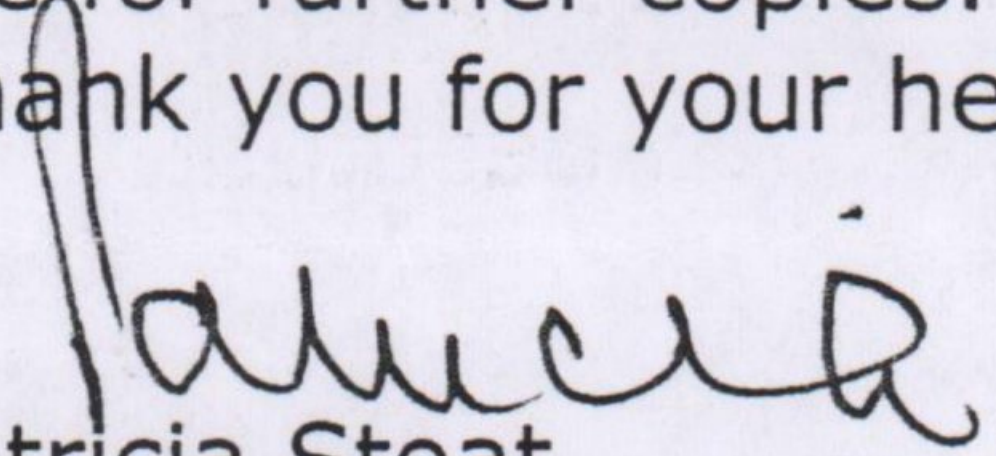
Limited provision of food is organised by the Methodist Mission in Lower Parliament Street. In most cases, shelter cannot be provided at all. Occasionally, in desperate and exceptional circumstances, NNRF has paid for a few nights bed and breakfast so that something more permanent can be worked out. Some of those affected are

vulnerable people who have no support networks. If they do not have friends they can turn to, they are likely to end up sleeping rough. Some people are indeed already doing so.

Asylum applicants have access to no other sources of financial support. They are prohibited from working by the Government and are not entitled to social security benefits. As a result, they are also barred from hostels for homeless people which require residents to be in receipt of benefits. It is not at all clear how the Government expects people to survive in such circumstances. NNRF is actively campaigning at a political level. A report on the situation has been sent to local MPs and we hope to arrange a meeting with them in the near future.

In the meantime we need more funds in order to continue to provide emergency support to those who are destitute. Much of the funding will go to the Methodist Mission to help them to maintain their supplies of food. Many of you have already generously contributed to NNRF for which we are very grateful. We are appealing to all of you, those who have already contributed and those who have not yet done so, to help us to raise money to continue to provide support to those who are destitute. We may have to continue to provide this support for the foreseeable future so we are hoping that this appeal may allow us to put together a sizeable sum. All contributions are welcome, large and small. Please make any cheques payable to 'Nottingham & Notts Refugee Forum' and complete the attached slip. Contributions to the Emergency Fund will be accounted separately from other donations. A standing order form is enclosed for those who feel able to make a regular donation. If you are aware of others who might be willing to contribute, please photocopy this letter and pass it on, or contact me for further copies.

Thank you for your help.


Patricia Stoa
Secretary, NNRF

I would like to make a contribution to the NNRF Emergency Fund.
Please tick the box if you require a receipt for your donation

Name.....
Address.....
.....Postcode.....
Email.....Telephone.....

Please make cheques payable to Nottingham and Notts Refugee Forum and send to Patricia Stoa, NNRF, 118 Mansfield Road, Nottingham NG1 3HL