



Northern Ireland Community of  
Refugees and Asylum Seekers

# The Effects of Destitution on Refugees in Northern Ireland

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Executive Summary

## EXECUTIVE SUMMARY

### Introduction

Many reports and surveys have been conducted within the UK that highlight the challenges and burdens of individuals transitioning out of the asylum support system. The granting of refugee status or other forms of Leave to Remain entitles individuals to the same rights and duties as all other UK residents. However, despite this equal entitlement, many individuals remain in destitution.

Individuals with a positive outcome to an asylum claim are fully entitled to support within the bounds of legislation and are protected due to their increased vulnerability.<sup>1</sup> This should allow for emergency interim payments and processing of claims without National Insurance numbers. However, in many cases, families and individuals are left with no social security provision, and so are prevented from receiving lawful benefit entitlements. Furthermore, the extremely low level of asylum support (£36.95 per person per week) means that refugees have had no ability to save money for emergencies.

The purpose of this report is to highlight the systemic failures within the social benefit support system for transitioning refugees. It aims to document examples of individual instances of destitution, highlighting and illustrating the causes by showing the lengthy delays experienced in receiving social security benefits, tax credits and child benefit, as well as the duration and type of emergency support, which is provided by the charity sector. It is clear from this report that such emergency support is essential to those suffering from destitution. Such support, however, should not be necessary. Genuine and timely access to the entitled social security, tax credits and child benefits is the key to preventing destitution.

### Background

When refugee status is granted, asylum support is continued for a 'grace period' of 28 days, after which time the accommodation and financial support stops. Home Office guidelines suggest that this period is sufficient for local agencies to administer the start of social support, when necessary, or to assist people in finding employment or education opportunities. However, the experience of those who work with those in asylum transition and the evidence compiled in the research for this report show that this is not the case.

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<sup>1</sup> Law Centre (NI), *Refugee Transition Guide*, Belfast City Council.

One estimate suggests that, as a result of lengthy benefit delays, one fifth of all refugee applicants living in Northern Ireland were forced into destitution.<sup>2</sup> We have found from our experience that this number is likely to be higher. During the time of these delays, individuals and families suffer food poverty, homelessness and isolation. The resulting health challenges exacerbate pre-existing traumas and physical ill health, and compound the vulnerability of our members. It is notable that, as the proportion of asylum claims made by families in Northern Ireland is more than double the national rate, delays in providing benefits are disproportionately affecting families here.<sup>3</sup>

## Methodology

Over a six-month period data was collected via interviews with refugees at NICRAS. A questionnaire was designed with open-ended questions, giving the received information a degree of structure and allowing for discussion of target issues and the collection of important information. Ten people were interviewed, four women and six men.

## Findings: Different ways to become destitute

The ten case studies clearly highlight the complex needs of refugees who are forced into destitution. Home Office, Jobs and Benefits Office (JBO) and Her Majesty's Revenue and Customs (HMRC) practices make refugees extremely vulnerable in the transition from asylum support, as they have to negotiate a confusing range of government agencies that do not always consult with each other.

Every person in our study group who was granted refugee status was eligible to receive benefits and support, but at various points found themselves homeless and destitute.

The reasons for the breakdown of support can be:

- Conflict between the end of the asylum support grace period and the benefits start-time.
- Changes in the support entitled to, e.g.:
  - Family Reunion and change in support from individual to family
  - Change of circumstances e.g. JSA to ESA and subsequent wait
- Delay of Child Support, e.g. Child Benefit, Child Tax Credit

<sup>2</sup> Joseph Rowntree Foundation (2013), Poverty and Ethnicity in Northern Ireland, An Evidence Review

<sup>3</sup> Northern Ireland Strategic Migration Partnership (2015), 'Consultation response: Reforming Support for Failed Asylum Seekers and other illegal migrants'.

A number of factors contributing to these failures, particularly to failures in benefits start-time, can be clearly identified. To apply for certain benefits, a key document required is a Biometric Residence Permit (BRP) and an end of asylum support letter (NASS35). This is problematic because there is often a delay of several weeks before these are issued, preventing the individual from applying for their benefits in sufficient time before the 28-day grace period ends.

Furthermore, while conducting this research, a lack of familiarity with Home Office and asylum support processes within the Social Security Agency in Northern Ireland became apparent. JBO staff often request unnecessary documentation, such as National Insurance Numbers (NINO), fail to offer emergency support such as interim payments and Crisis Loans, and sometimes refuse requests for such emergency support, despite the applicants entitlement to them.

Home Office decision making, policy changes and enforcement capability exist in a sphere separate from those of the Northern Ireland government and can regularly undermine the support objectives of local agencies. There remains no integration of Home Office processes with agencies in Northern Ireland, making the separate support systems entirely out of synch and leaving our members in destitution for extended periods.

Destitution often impacts on the health and wellbeing of an individual or family, causing extreme hopelessness, fear, hunger and homelessness. In many cases, pre-existing stress, anxiety, sleepless nights, fear, depression (in some cases leading to self-harm) are exacerbated by an exclusionary support system and instability of support.<sup>4</sup> The study participants clearly stated the emotional impact of their situations. According to the Joseph Rowntree report, the impact of destitution in Northern Ireland is more extensive than expected.<sup>5</sup> The long-term impact on the health and education of people living in destitution needs to be emphasized

The importance of charity organisations becomes clear when statutory agencies are unable to fulfil their roles.

## Recommendations

NICRAS recommends the following measures:

<sup>4</sup> For illustration of such experiences we refer you to "Poverty and Ethnicity in Northern Ireland" a study issued by The Joseph Rowntree Foundation, including testimony by Asylum Seekers/Refugees from the Horn of Africa.

<sup>5</sup> Joseph Rowntree Foundation(2013): Poverty and Ethnicity in Northern Ireland, An Evidence Review

- A review and change of the whole system for the transition from asylum support to the support due to refugees.
- Asylum support should be continued until the first payments of the individuals new support has been received. Until this can be achieved, interim payments should have an immediate start and be actively offered by the Jobs and Benefits Office.
- Social Security Agency staff should proactively offer support such as interim payments and Crisis Loans to prevent destitution, and be aware of the entitlement of refugees to this support.
- Similarly, when changing benefits either payments of the previous benefit should not stop until the new one has been received or there should be interim payments to bridge this gap.
- Jobs and Benefits Office staff should process all claims for welfare support when the end of asylum support letter (NASS35) is issued, regardless of whether the person has received their National Insurance number yet.
- There needs to be a more accommodating attitude towards the need for documentation such as birth certificates, taking into account the refugee' experience, the difficulties that they often face in obtaining these documents, and the fact that these documents may not exist through no fault of the individual.
- Training should be provided to the Social Security Agency staff to ensure that they are aware of the rights of refugees and the support they are entitled to.
- There should be a member of staff in such offices with expertise in refugee and asylum issues, who can be applied to by their colleagues for advice and help when handling such cases.
- A monitoring system should be put in place to highlight when people, and especially more vulnerable people like refugees, are not receiving support, and to ensure that the system works appropriately, preventing forced destitution.

Until such changes and safeguards can be established to ensure that no one is forced into destitution, there should also be recognition of the important

support that charities like NICRAS provide to those forced into destitution, with governmental emergency funding given to enable that support to continue.

The failures of the current system are also symptomatic of greater problems within the asylum system in the UK. The UK government should provide more adequate asylum support - both financial support and in access to services- to meet their statutory obligations. Furthermore, the restrictions denying asylum seekers the right to work contribute to the problem by also denying them any opportunity to make financial provision for unexpected problems. There needs to be a change in culture in the asylum system and civil service, to one that does not automatically regard asylum seekers and refugees with suspicion, but instead looks to the dignity and wellbeing of the individual.

These issues, especially the right to work, are ones over which the services in Northern Ireland have comparatively small influence, being the preserve of the Home Office. However, the government and services in Northern Ireland should be looking at how they can improve the situation of asylum seekers and refugees. They should make a strong commitment to the right to work for asylum seekers. Aside from the positive actions that the Northern Irish government and services can take, at the very least no one should be forced into destitution due to administrative error. It is essential that measures now be taken to prevent the continuing occurrence of destitution in Northern Ireland.

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