

Birmingham Law Centre

Asylum-Seekers' Destitution Fund

and

Hope Housing

March 2008

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The **Asylum-Seekers' Destitution Fund** was established in early 2003. The Fund assists the increasing numbers of asylum-seekers in and around Birmingham whose support and accommodation from the National Asylum Support Service (NASS) have been terminated, or who otherwise become destitute. Its first grants were made in July 2003.

Grants are currently made by a Grants Panel made up of representatives from

- Birmingham Law Centre (BLC)
- ARROW (Action for Relief of Refugees from Overseas in Wolverhampton),
- ASIRT (Asylum Support and Immigration Resource Team),
- Coventry Refugee Centre,
- the British Red Cross (West Midlands),
- the Refugee Council, and
- Restore (Birmingham Churches Supporting Asylum Seekers and Refugees),

all of which are also represented on the Fund's Steering Group, which meets from time to time to agree changes of policy etc.

The Fund takes applications only from approved 'referring agencies' working with destitute asylum-seekers, so that further information on applications, and possible alternative remedies, can be sought from the agencies if necessary.

In the current financial year beginning 1 April 2007, **£87,828** has been raised for disbursement to destitute asylum-seekers, from individuals, faith groups, grant-making trusts, collections and benefits, and from BLC's own charitable funds.

Since the Fund was started in July 2003, a total of **£325,751** has been raised.

Major funders for 2007/8 have included the Tudor Trust, the Bryant Trust, the Roughley Trust, the Grimmit Trust, the Cole Trust and Friends Hall Farm Street, as well as BLC itself from its own charitable funds

As previously, none of the money raised has been used for administrative costs, which have been covered by BLC from its general funds. With the growth in our grant-making, made up of a large number of fortnightly small grants, the efficient administration of the Fund is due to BLC's Finance Admin Officer Balbir Klair, who does the work on top of all her general financial duties at BLC, and to our volunteer admin worker Charlotte Neza. As before, all fundraising for the Fund has been carried out by volunteers.

Since July 2003 a total of **£309,301** has been disbursed to **1,376** individuals and families. In the current financial year beginning 1 April 2007 **£89,860** has been disbursed.

Grants are still made at weekly rates close to the weekly subsistence rates paid by NASS. (See Appendix 2 for current rates.)

Hope Housing

The Asylum-Seekers' Fund has never been able to help with accommodation costs – though most destitute asylum seekers are also homeless, and are generally excluded from statutory and voluntary provision for the homeless.

But BLC and its partner-organisations have recently set up the **Hope Housing project**, under the aegis of the Asylum-Seekers' Fund, which is able to provide emergency accommodation for homeless and destitute asylum-seekers in properties made available at peppercorn rents by housing associations and other social landlords. Residents in the accommodation are supported from the Asylum-Seekers' Fund.

Hope Housing's first residents were accommodated in May 2007, and the project is currently accommodating seven single people in two properties; a third property has just become available and we are negotiating the provision of others from local housing associations.

With funding from the Lloyds TSB Foundation, Hope Housing is now in the process of appointing two part-time project workers.

Appendix 1 below gives details of some recent cases in which the Asylum-Seekers' Fund has helped destitute asylum-seekers. **Appendix 2** gives the current criteria for grant-making.

Appendix 1 - Case studies

Here are brief details of three recent cases in which the Fund has been able to help destitute asylum-seekers. They illustrate that the Fund's grant-making is linked with efforts by BLC, Hope Housing and the referring agencies to find longer-term remedies for applicants' destitution and homelessness.

Ms W, a refused asylum-seeker from Cameroon, made a fresh asylum claim based on new evidence, and so should have been eligible for limited ("Section-4") support from NASS while the fresh claim was being considered. Her application for Section-4 support was refused, and an appeal against the refusal was lodged with the Asylum Support Tribunal. NASS then withdrew their refusal of support; however, while awaiting her Section-4 accommodation Ms W was taken into detention and threatened with deportation. She was released from a detention centre after 10 days, but the Section-4 support had been cancelled and she was again left without any support or accommodation. The Asylum-Seekers' Fund was able to provide her with support while the Refugee Council sought re-instatement of her "Section 4" support.

Asylum-seeker **Mr S** from Sierra Leone and his partner **Ms B** have twin babies born in this country. Following the Home Office's refusal of Mr S's asylum application they had no support or accommodation. The family were moving around staying with different friends, until the last friend said that they would have to leave, and they had nowhere else to go. BLC was able to refer them to the Hope Housing project for emergency accommodation, and the Asylum-Seeker's Fund is now supporting the family there while BLC's community-care casework team seeks support for them from the City Council's Social Services Department.

Ms I, an asylum-seeker from the Congo, had been supported by NASS and living in living in NASS-funded accommodation for nearly three years, when the private landlord providing the accommodation, who also supplied Ms I with Asda vouchers for her support, was changed. No-one told Ms I what were the arrangements for getting Asda vouchers from her new accommodation-provider, and so for two weeks she had no support. Then she was told that her accommodation had been cancelled because she had failed to collect her vouchers!

The Asylum-Seekers' Fund was able to provide support for Ms I while the Refugee Council argued for urgent re-instatement of her support and accommodation from NASS.

Appendix 2

BLC Asylum-Seekers' Destitution Fund: Criteria for Grant-Making

Agreed 5 September 2007

1 Transparency

Current criteria for grant-making will always be circulated to all referring agencies, together with "reasoned decisions" on particular issues prepared from time to time by BLC's solicitor Allan Norman.

Agencies wishing to refer cases are encouraged to send representatives to Grants Panel meetings.

2 Basic criteria for grant-making

Grants can be made only to people who have at some time applied for asylum, and generally only to those who are currently destitute – but see 5 below.

3 Rates of grant payment

The normal weekly rates of grant payment are, as at September 2007: £35 for a single person, £60 for a couple, £80 for a couple with one child, £100 for a couple with two children. These rates should be regularly reviewed in the light of increases in NASS rates of payment.

4 Grants for NASS Section-4 applicants and others with a potential remedy for their destitution pending

Grants will generally be made to destitute applicants who have a Section-4 application or another remedy for their destitution pending, except where they have been destitute for more than six months, are living in a fairly stable situation, e.g. with friends on a long-term basis, and there are no "humanitarian" or other special circumstances warranting a grant.

5 Grants for those not completely destitute

The ASDF trust-deed allows for grants to those not completely destitute but, e.g., lacking support or accommodation for their dependants or support to cover special needs. Such grants can be made provided a case has been made on "humanitarian" or other special grounds.

6 Grants for people “indefinitely destitute”

Grants can be given to people indefinitely destitute and without any possible remedy pending, again only provided a case has been made on “humanitarian” or other special grounds, e.g. because of a recent change of circumstances worsening the person’s situation.

7 Grants for residents of Hope Housing accommodation

Residents of Hope Housing accommodation will receive support from the ASDF; where they are receiving some support “in kind” of food etc., ASDF support will be at a lower rate than the normal rates (see 3 above).

8 Grants for former asylum-seekers

Grants for, e.g., refugees unable to access welfare benefits should be made only exceptionally and with a low priority, and only if an MP has been asked to pursue their case.

9 Grants to those not previously in receipt of NASS support

People not previously in receipt of NASS support can receive grants provided they fulfil other criteria.

10 Grants for non-support expenditure (e.g. essential travel, doctor’s reports, translation, other reports)

Such grants can be made only exceptionally, and with a low priority.

11 Cases for review by Grants Panel

The Panel will always require clear information about action/progress on a case from the referring agency.

Contacting the Fund

The Asylum-Seekers' Destitution Fund is based at

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Donations to the Fund can be sent to the above address – cheques to be made out to 'Birmingham Law Centre Asylum-Seekers' Destitution Fund'.

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