

**K271\_4**

**Applying social work law to asylum and immigration**

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## Introduction

In this free online course, Applying social work law to asylum and immigration, you will hear from social work practitioners, lawyers, advocates and advice workers about the ways in which social work practitioners can support people with insecure immigration status, people with refugee status and people seeking asylum more effectively.

Start of Figure



**Figure 1** Scotland welcomes refugees

[View description - Figure 1 Scotland welcomes refugees](%22%20%5Cl%20%22Alternative1)

End of Figure

Given the professional commitment by social workers to support vulnerable and excluded people, and to promote social change and social justice, it would be logical to assume that social workers would also have significant obligations to provide services to asylum seekers and refugees, who seek refuge from human rights abuses, disasters, wars and other forms of persecution in their homelands. Asylum seekers and refugees are often among the most vulnerable and the poorest sectors of society. However, statutory social work is limited by law, and in some respects, in its ability to address the obvious needs of this group.

Legislation relating to immigration and asylum issues often intentionally restricts access to services and public participation on grounds of nationality − for example, section 21 of the Care Act (CA2014). Social workers must work within the constraints of relevant legislation; in some instances this will place them in a difficult position, but these moments can also be regarded as opportunities for social workers to educate, explain and lobby for legal change.

As political turmoil, wars and natural disasters seemingly continue to unfold, so does the need for people to seek refuge. At the time of preparing these OpenLearn course materials the War in Ukraine started to unfold and an estimated 2.6 million people had fled the country. As a result, the UK Government instigated the ‘Homes for Ukraine’ programme to allow individuals, charities and community groups across the UK to offer a room or home rent free in return for a compensation payment of £350. Also, whilst preparing this course, the Nationality and Borders Act (2022) was introduced, which brings changes to support provided to asylum seekers and also puts into statute the ability to remove people to a ‘safe third country’. Rwanda has entered into agreement with the UK government to receive asylum seekers whose claims are inadmissible in the UK. However, legal challenges continue in the European Court of Human Rights and (at the time of writing) there have been no removals to Rwanda. This highlights the need for social workers to keep themselves informed about humanitarian crises and up to date with changing policy.

In this course, you will find out more about the realities of asylum and immigration in England, Wales, Scotland and Northern Ireland today and understand the ways social workers interact with the law in this area of practice.

This OpenLearn course is an adapted extract from the Open University course [K271 Social work law](http://www.open.ac.uk/courses/modules/k271).

## Learning outcomes

After studying this course, you should be able to:

* appreciate why social workers need to know about asylum and immigration law
* understand what it means to be a refugee
* identify the rights asylum seekers have
* recognise the support available, as well as barriers to migrants, asylum seekers and refugees accessing services
* recognise how an understanding of the law and social work values promotes best practice when working with migrants, asylum seekers and refugees.

## 1 A brief history of immigration law

Start of Figure



**Figure 2** (1) An advertisement from 1902 for an anti-immigration demonstration. (2) A demonstration in the East End of London against the Alien Act 1905.

[View description - Figure 2 (1) An advertisement from 1902 for an anti-immigration demonstration. (2) ...](%22%20%5Cl%20%22Session1_Description1)

[View description - Figure 2 (1) An advertisement from 1902 for an anti-immigration demonstration. (2) ...](%22%20%5Cl%20%22Session1_Alternative1)

End of Figure

As Figure 2 shows, immigration restrictions in the UK are not new. The Aliens Act 1905 (AA 1905), which aimed to restrict the entry of Jewish refugees fleeing persecution from Eastern Europe, was the first UK Act relating to immigration in the twentieth century. Controls took place against a backdrop of widespread anti-Semitism in the UK and agitation for control over immigration by the labour movement and others. Although foreign migrants were referred to as ‘aliens’ in the legislation, rather than ‘Jews’, anti-Semitic prejudice was widespread in the debates of the time.

You might see echoes of these themes in the present day discussion of legislation to restrict migrants, asylum seekers and refugees from settling in the UK. Subsequent legislation such as the Commonwealth Immigrants Act 1962 and the immigration acts which followed are characterised by ever-increasing immigration controls against black and ethnic-minority communities, and subsequently other migrants such as those from Eastern Europe.

Although eligibility of public services to those without the right permission to be in the UK had been government policy prior to 2010, in 2012, Theresa May, the then Home Secretary, declared her intention ‘to create here in Britain a really hostile environment for illegal migration’ (Kirkup and Winnett, 2012). This was followed by rules and legislation to put this intention into practice, for example the Immigration Acts 2014 and 2016. In setting out to create an environment hostile to people with insecure immigration status, a danger has been that the environment has become hostile to all migrants, regardless of whether or not they are lawfully resident in the UK – including, for example, the recent scandal relating to the Windrush generation.

Despite these restrictions, there are many examples where social workers can, and do, support people with insecure immigration status in both the statutory and voluntary sectors. For example, acting as a point of contact, helping people to gather evidence and write evaluations, and helping people access permitted forms of support, including unrestricted benefits (like school meals and clothing grants) and support from third-sector organisations, like food banks, and crisis grants.

Start of Study Note

**Optional reading**

One positive example of how social workers and students apply the law to support asylum seekers and refugees is featured in this article from Community Care: [The social workers defending the rights of refugees](https://www.open.ac.uk/libraryservices/resource/website%3A118696%26f%3D30646) (McNicoll, 2015).

End of Study Note

In this course you will hear from practitioners working in this field and look at different ways in which social workers can best apply the law to support migrants, asylum seekers and refugees.

## 2 Social workers’ obligations

The UK has an obligation under international treaties, such as the European Convention on Human Rights 1950 (ECHR), not to discriminate against individuals on the basis of migration status, and yet ‘hostile environment’ policies, as well as the imposition of conditions like ‘no recourse to public funds’ (NRPF), can lead to destitution and homelessness for people with insecure immigration status. Even people with leave to remain but subject to the NRPF condition may be at risk of destitution and homelessness, for example, when they experience economic hardship due to poor health or disability, or relationship breakdown.

The legal framework excludes people who are subject to immigration control from accessing many housing and welfare rights. Although alternative sources of support are provided, these are set at a lower level than those set for other claimants, and they do not have the status of rights. This is because they are conditional on a range of requirements that aim to control the movement and participation of migrants and asylum seekers in wider society and give a high degree of discretion to decision-makers in the determination of their case. In the following sections you will explore the extent to which this affects the social work role and creates dilemmas for practice, poverty and homelessness for those caught up in these difficulties.

Asylum and immigration law is complex, in part due to the pace of legislative change, but also because it is regularly contested in the domestic courts. Social workers do not need to be experts in this field, but they will encounter migrants, asylum seekers and refugees in the course of their work and should therefore be familiar with the asylum process and know where to go for further advice. They also need to understand the extent of their obligations to provide social work services to migrants, asylum seekers and refugees. However, this course suggests that this knowledge should be placed within its broader social, political and legal context. It is equally important for social workers to question the assumptions that underlie current policy in this area, to reflect on how these may impact on the professional role, and to consider how a commitment to legal and social work values can promote effective and ethical practice with migrants, asylum seekers and refugees.

## 3 Understanding asylum and immigration policy

Legislation on immigration and asylum matters originates in the UK Parliament. The government in Westminster sets policy in relation to external and internal controls, subject to EU and international law. The absence of a specific immigration policy for Northern Ireland, Wales and Scotland does not mean, however, that national debates and perceptions of this issue are identical to those in England.

In Wales, this is a non-devolved matter, therefore the laws in relation to immigration and asylum are the same for both England and Wales, unless otherwise indicated in this section (e.g. in relation to social care provision). The Welsh Government does, however, issue policies with a view to support refugees and asylum seekers.

Start of Figure



**Figure 3** Housing estate

[View description - Figure 3 Housing estate](%22%20%5Cl%20%22Session3_Alternative1)

End of Figure

The dispersal policy whereby asylum seekers receive one offer of accommodation is part of the immigration policy; Glasgow is one of the dispersal cities in the UK.

Scottish policy suggests a greater tolerance towards asylum seekers than is the case in England, in part because the Scottish Government has promoted positive messages about the need for migration, to address under-population and skills shortages affecting Scotland, see, for example, the New Scots: Refugee Integration Strategy 2018–2022 (Scottish Government, 2018a). There has been a real concern to address destitution, for example Hidden Lives (Scottish Parliament, 2017), which makes recommendations to ameliorate destitution amongst migrants, asylum seekers and refugees. Media coverage of forced removals of families and the murder of a Syrian refugee in Edinburgh in 2018 heightened public awareness of this issue. Nevertheless, across the UK there is significant evidence of hostility towards asylum seekers and confusion and ignorance of the facts.

Therefore, one of the first things that social workers committed to anti-discriminatory practice may have to address is a lack of knowledge about immigration policy as a whole. This requires an understanding of the legal distinctions between different types of migrants to the UK and their corresponding immigration status.

## 4 Immigration, asylum and refugee status

Immigration legislation is complex. Box 1 gives more information about what the commonly used terms mean when discussing it.

Start of Box

**Box 1 Immigration, asylum and refugee status**

1. People subject to immigration control require **leave to enter** the UK from an immigration officer (in advance by obtaining a visa from a British embassy or high commission) and may apply to the Home Office for **leave to remain** in the UK. The Home Secretary operating through UK Visas and Immigration has wide discretion under immigration law to refuse leave to enter or remain, and to impose conditions on any leave granted. A person’s immigration status affects their right to work and to access welfare services.
2. An **asylum seeker** is someone who has lodged an application for protection on the basis of:
	* the United Nations Convention Relating to the Status of Refugees 1951 (Refugee Convention); or
	* arts 2, 3 or 4 of the ECHR which prohibits unlawful killing, torture, and ‘inhuman or degrading treatment or punishment’, slavery and forced labour.

If successful, applicants for asylum will be granted ‘refugee status’ or ‘humanitarian protection’ in the UK.

A **refugee** is a person who

* + owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country (art 1(A)(2) Refugee Convention).

The terms ‘asylum seeker’ and ‘refugee’ are often used interchangeably, but if a person has been granted refugee status they are granted leave to remain; they become eligible for mainstream benefits and are able to seek employment.

1. Under s95 Immigration and Asylum Act 1999 (IAA 1999), a person is defined as being ‘**destitute**’ if they:
	* do not have adequate accommodation or any means of obtaining it (whether or not essential living needs are met)
	* have adequate accommodation or the means of obtaining it but cannot meet other essential living needs.
2. People with **insecure immigration status** can include someone who is waiting for a decision by the Home Office on leave to remain, where, for example:
	* their status is dependent on a partner, spouse or other family member
	* their permission to stay in the UK was time limited and they have overstayed their visa permissions
	* an individual is undocumented
	* they have no legal right to be in the UK but might secure their legal status if supported to do so.
3. Section 115 IAA 1999 states that a person subject to immigration control will have **no recourse to public funds** (NRPF). The IAA 1999 lists what is included as a public fund, but generally it includes non-contributory benefits, such as Child Benefit, Universal Credit, and disability benefits, as well as the Scottish Welfare Fund. Provision of healthcare – by the National Health Service (NHS) – and education, with some exceptions, do not count as public funds. More information is available from the [NRPF Network](https://www.open.ac.uk/libraryservices/resource/website%3A118698%26ampf%3D30646).
4. A **migrant** is a person who moves from one place to another, especially in order to find work or better living conditions.

More detailed definitions of the terminology used in immigration legislation are available from the [Refugee Council](https://www.refugeecouncil.org.uk/glossary).

End of Box

## 4.1 Immigration facts and figures

There is often confusion about migrants, asylum seekers and refugees, including the terminology used and their perception as a threat. In the following activity you will have the opportunity to test your knowledge about the numbers behind the headlines. The [Refugee Council website](https://www.open.ac.uk/libraryservices/resource/website%3A125066%26f%3D30646) is a useful place to find up-to-date information. To avoid losing your place in the course, if you are studying on a desktop you should open the link in a new tab or window by holding down Ctrl (or Cmd on a Mac) when you click on it. If you are studying on a mobile device hold down the link and select to ‘Open in New Tab’. Return here when you have finished.

Start of Activity

**Activity 1 Myth busting: how much do you know?**

20 minutes

Start of Question

1. Which countries do asylum seekers mainly come from?

End of Question

*Provide your answer...*

[View answer - Part](%22%20%5Cl%20%22Session4_Answer1)

Start of Question

2. Are asylum applications in the UK going up or down?

End of Question

*Provide your answer...*

[View answer - Part](%22%20%5Cl%20%22Session4_Answer2)

Start of Question

3. In what year did asylum applications peak?

End of Question

*Provide your answer...*

[View answer - Part](%22%20%5Cl%20%22Session4_Answer3)

Start of Question

4. Approximately how many asylum applications were there in 2021 in the UK?

End of Question

100,000

10,000

50,000

[View answer - Part](%22%20%5Cl%20%22Session4_Answer4)

Start of Question

5. What was the Home Office asylum support allowance in 2021 for one asylum seeker for all necessities (food, clothing, travel, phone) excluding housing?

End of Question

£100 per week

£57.90 a week

£40.85 a week

[View answer - Part](%22%20%5Cl%20%22Session4_Answer5)

Start of Question

6. Approximately how many people are trafficked each year in the UK?

End of Question

*Provide your answer...*

[View answer - Part](%22%20%5Cl%20%22Session4_Answer6)

Start of Question

7. How many of these were under the age of 18?

End of Question

*Provide your answer...*

[View answer - Part](%22%20%5Cl%20%22Session4_Answer7)

Start of Question

8. What countries do the children come from?

End of Question

*Provide your answer...*

[View answer - Part](%22%20%5Cl%20%22Session4_Answer8)

[View discussion - Part](%22%20%5Cl%20%22Session4_Discussion1)

End of Activity

## 4.2 The people behind the statistics

In this section you will look at the people behind the labels and statistics and then hear about the work of the Scottish Refugee Council.

Start of Activity

**Activity 2 The people behind the statistics**

20 minutes

Start of Question

Watch the video ‘We slept on the buses: Britain’s homeless children’ (The Guardian, 2017) and think about how it makes you feel. Make notes in the box below.

Start of Media Content

Video content is not available in this format.

**Video 1** ‘We slept on the buses: Britain’s homeless children’

[View transcript - Video 1 ‘We slept on the buses: Britain’s homeless children’](%22%20%5Cl%20%22Session4_Transcript1)

Start of Figure



[View description - Uncaptioned Figure](%22%20%5Cl%20%22Session4_Alternative1)

End of Figure

End of Media Content

End of Question

*Provide your answer...*

[View discussion - Activity 2 The people behind the statistics](%22%20%5Cl%20%22Session4_Discussion2)

End of Activity

## 5 Working with asylum seekers and refugees

Activity 3 will allow you to consider in more detail the specific needs of asylum seekers and refugees in England, Wales and Scotland.

Start of Activity

**Activity 3 Working with asylum seekers and refugees**

30 minutes

Start of Question

Listen to the following clips from an interview with Wafa Shaheen, Head of Service at the Scottish Refugee Council (SRC). In the two audios she describes the work of her organisation and highlights the difficulties encountered by asylum seekers and refugees, including unaccompanied children and young people seeking asylum.

As you listen to the first audio where Wafa talks about the work of the SRC and the asylum process, make notes in answer to the question that follows.

End of Question

Start of Question

Start of Media Content

Audio content is not available in this format.

**Audio 1** The Scottish Refugee Council and the asylum process

[View transcript - Audio 1 The Scottish Refugee Council and the asylum process](%22%20%5Cl%20%22Session5_Transcript1)

End of Media Content

End of Question

Start of Question

1. What are the main difficulties that asylum seekers and refugees face on entering the UK and the barriers to them accessing services?

End of Question

*Provide your answer...*

Start of Question

In the second audio, Wafa discusses the needs of asylum seekers, including families, unaccompanied children and young people, and vulnerable adults. Make notes in answer to the question that follows.

Start of Media Content

Audio content is not available in this format.

**Audio 2** Social work with asylum seekers including unaccompanied children and young people

[View transcript - Audio 2 Social work with asylum seekers including unaccompanied children and young ...](%22%20%5Cl%20%22Session5_Transcript2)

End of Media Content

End of Question

Start of Question

2. What are some of the issues for unaccompanied children and young people seeking asylum?

End of Question

*Provide your answer...*

[View discussion - Part](%22%20%5Cl%20%22Session5_Discussion1)

End of Activity

Start of Box

**Box 2 Barriers to accessing social work services**

Listed below are some of the potential barriers to accessing social work support; you may have thought of others.

* lack of familiarity with the availability of social work services and the concept of social work
* language difficulties and inadequate interpreting and translation services, for example in the area of mental health
* suspicion and distrust of professionals due to previous encounters with public authorities
* specific needs may be hidden or unidentified due to cultural difference – for example, domestic violence, child carers and mental health problems, physical disabilities
* difficulties in filling out forms and coping with bureaucracy
* lack of continuity of care, for example as people move between accommodation or are ‘dispersed’
* poverty and its impact on the individual being able to afford travel to access services, go to meetings and hearings etc.
* the use of detention for people with insecure immigration status, which limits their access to social work support.

End of Box

## 6 The current legal framework

The right to claim asylum is protected by international law, but as you have seen, the process for claiming asylum is governed by a complex range of statutory sources, guidance and rules that are frequently subject to change. The main sources of law are summarised in Box 3.

Start of Box

**Box 3 Key sources of law on asylum**

**International instruments**

Article 14 **Universal Declaration of Human Rights 1948** (UDHR) states:

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.
2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

The UK is a signatory of the UDHR, but this only has the status of an international treaty in law and is not legally binding treaty obligation in the UK.

A much more comprehensive statement of the right to asylum is provided in the **Refugee Convention**, which prohibits the return of people persecuted on grounds of race, religion, nationality, membership of a particular social group or their political opinion. (The Refugee Convention was incorporated into domestic law by s2 Asylum and Immigration Appeals Act 1993.)

The **UN Convention on the Rights of the Child 1989** states that ‘the best interests of the child shall be the primary consideration’.

**UK domestic legislation**

The policy of the UK government is to reduce net migration to the UK. There are tensions between the Scottish and UK governments in relation to asylum and immigration.

The **Immigration and Asylum Act 1999**, as amended, outlines the process for asylum applications and appeals. It removed remaining benefit entitlements and set up the separate system of economic support and dispersal.

The **Nationality Immigration and Asylum Act 2002** tightened the surveillance and control of asylum seekers with the introduction of accommodation and induction centres, asylum registration cards and measures to further restrict the availability of welfare support.

The **Asylum and Immigration (Treatment of Claimants etc.) Act 2004** contains the power to withdraw financial support and accommodation from families who ‘fail to take reasonable steps’ to leave the UK after asylum refusal and exhaustion of appeal rights. It introduced a new criminal offence of arriving without documents and made some types of case support conditional on undertaking ‘community activities’.

The **Immigration, Asylum and Nationality Act 2006** replaced backdated welfare entitlements for those granted refugee status with integration loans, amended end-of-line support, and specifically excludes terrorists from the protection of the Refugee Convention.

The **UK Borders Act 2007** was part of a package of measures to tackle illegal working in the UK, and introduced new powers to, for example, enforce border controls, allow automatic deportation of some foreign nationals.

The **Borders, Citizen and Immigration Act 2009** established a ‘path to citizenship’ for refugees, imposing additional probationary periods after ‘leave to remain’ is granted, sometimes described as ‘earned citizenship’. Section 55 introduced a duty for UK Visas and Immigration: to safeguard the welfare of children in line with the UK’s obligations under the UN Convention on the Rights of the Child 1989.

The **Immigration Act 2016** and the **Nationality and Borders Act 2022** have built on the government intent to make the immigration environment more hostile. For example, the Nationality and Borders Act has established the process to remove people seeking asylum to a ‘safe third country’ (at the time of writing, the Government plan is to remove people to Rwanda).

End of Box

## 6.1 The asylum process

It is important that people applying for asylum seek expert legal advice and get help and support when making a claim. UK Visas and Immigration (UKVI) has a range of powers to control and limit the freedom of those seeking asylum, which include: detention, fingerprinting, no-choice dispersal to another part of the UK, return to a safe third country, denial of mainstream welfare rights, denial of the right to work, and, ultimately (if the application is refused), the power of forced removal.

Asylum seekers who may have fled their homeland without any documentation will often face difficulties in proving their asylum claim. Trauma, language difficulties and the complexity of the process place considerable hurdles in the way of achieving a successful outcome. Not all asylum seekers are eligible for support from UKVI; in particular, support may be withheld where an application for asylum was not made at the earliest possible opportunity. The provision of accommodation and financial assistance, where available, comes with stringent conditions attached, and is restricted to subsistence levels. The rationale for this is to deter illegitimate claims, but its effects can lead to social isolation, forced dependence and, for those who fail to qualify or have their financial support from UKVI withdrawn, destitution.

Start of Study Note

**Optional reading**

The [Asylum Support Appeals Project](https://www.open.ac.uk/libraryservices/resource/website%3A125068%26f%3D30646) has published a practical information guide for refugees and asylum seekers; information is also available from the Refugee Councils for England, Scotland and Wales.

End of Study Note

## 6.2 The right to support

While the legal right to claim asylum and have that claim determined by due process is protected within the UK, other rights ordinarily enjoyed by those not subject to immigration control are restricted by statutory provisions. However, it is important to remember that individual human rights are also protected within the broader legal framework, and to recognise the particular significance that human rights challenges have in the context of determining asylum seekers’ rights.

Although human rights law provides a valuable check on the power of the executive in asylum cases, the burden on the individual of having to establish legal rights through case law should not be underestimated. There is also no guarantee that an argument based on this source of law will be successful, even where the obligation to secure a right under the European Convention on Human Rights (ECHR) is absolute. For example, in the case of Gezer v Secretary of State for the Home Department [2004] EWCA Civ 1730, the English Court of Appeal rejected a claim by an asylum seeker and his family that it was a breach of their rights under art 3 ECHR to disperse them to Glasgow, where they had been subjected to racial abuse and harassment, culminating in them being attacked in their flat. It was held that, on the facts, the family had a choice of whether to accept the offer of housing on the estate, even though not doing so would result in the offer of National Asylum Support Service (NASS) support being withdrawn, although Lord Justice Elias did not think there was a real choice (at para 57).

Nevertheless, public authorities have a duty to respect asylum seekers’ rights under the ECHR and to ensure their consideration and compliance in the planning of services. This duty clearly applies to the provision of social work services by local authorities, reinforced by the professional value commitments of social work.

## 7 The social work role

The greater part of service provision for people with insecure immigration status, asylum seekers and refugees has come from the voluntary and independent sector and faith organisations, many of which employ qualified social workers. Later in this section you will hear about the work of two voluntary sector organisations – Embrace Life, Luton, and Southall Black Sisters.

Start of Figure



**Figure 4** A social worker with a service user

[View description - Figure 4 A social worker with a service user](%22%20%5Cl%20%22Session7_Alternative1)

End of Figure

The obligations of statutory social work in this area of social policy remain a source of some confusion and controversy. Hayes (2013) suggests that working in this field presents ethical dilemmas and social workers can find themselves enmeshed within a system of draconian immigration controls.

A 2017 study found that social workers within both the statutory and voluntary sector try to implement social work values and use their discretion on behalf of their clients in the face of a hostile immigration policy and resource constraints (Robinson and Masocha, 2017).

A broad understanding of the law and of appropriate legal rights is important. Chantler (2012) also suggests that social work leadership is needed at a higher level:

Start of Quote

...to respond more effectively in this complex area of work, interventions at a practitioner, organisational and societal level are required if the espoused values of social work are to be more than mere rhetoric.

(Chantler, 2012, p. 331)

End of Quote

The dispersal policy, whereby asylum seekers and refugees are offered a no-choice, one offer of accommodation has established new asylum communities in cities around the UK. Social work responses to this have been mixed (Hayes, 2013) but all local authorities have an obligation to provide services to asylum seekers and refugees; as well as building expertise in specialist teams, this should also be seen as part of mainstream practice, rather than as a niche area (SCIE, 2010).

If asylum seekers are not eligible for social care services, they should be assessed under the Human Rights Act 1998 to establish whether a failure to provide appropriate services would be a breach of their human rights. For ‘refused’ asylum seekers, detailed practice guidance on assessing and supporting children, families and adults is available from the [NRPF Network](https://nrpfnetwork.org.uk/) website.

It should now be obvious why this is a challenging area of social work practice. The legal provisions are complex – how do you exclude the effects of destitution from assessed needs? They are also difficult to reconcile with social work values and principles – should social workers be turning away those in obvious need and policing immigration controls?

## 7.1 Case study: Katy Eagle – a voluntary sector practitioner

The next activity provides an opportunity to listen to Katy Eagle, a voluntary sector social worker from Embrace Life, Luton in England, talking about her experience of working with migrants, asylum seekers and refugees and how social workers can help this vulnerable group of people.

In the first part of the activity, Katy discusses her top tips for social workers. In the second part, you can listen to Katy explain how she would practise, as you work through two case studies with her.

Start of Activity

**Activity 4 Katy Eagle – Social work practice with migrants, asylum seekers and refugees**

1 hour

**Part 1**

Start of Question

Firstly listen to Katy speak about the work that she does at ‘Embrace Life,’ Luton with migrants, asylum seekers and refugees. She discusses her social work practice within a voluntary organisation to support asylum seekers and refugees, and the legal framework that she practises within. She also outlines her top tips for social workers. As you listen to the audio, answer the questions that follow.

Please note, this audio is approximately 17 minutes long.

End of Question

Start of Media Content

Audio content is not available in this format.

**Audio 3** Katy Eagle

[View transcript - Audio 3 Katy Eagle](%22%20%5Cl%20%22Session7_Transcript1)

End of Media Content

Start of Question

1. What are some of the common problems that refugees and asylum seekers coming to her agency face?

End of Question

*Provide your answer...*

Start of Question

2. What kind of help can social workers give and what should social workers be alert to?

End of Question

*Provide your answer...*

Start of Question

3. What are the limitations that social workers have to negotiate?

End of Question

*Provide your answer...*

[View discussion - Part](%22%20%5Cl%20%22Session7_Discussion1)

**Part 2**

Start of Question

Now listen to the audios of Katy describing two case studies, one of a family and one of a gay man, who are seeking asylum. You can read the transcripts of the case studies if required.

Think about the questions that Katy poses as you go through each of the case studies and the kind of help and support you could offer. Make notes in the boxes below each part of the case study before listening to Katy reflecting on her practice in relation to the questions asked. Once you have worked through the case studies, look at the comments from Katy about good practice in the discussion.

End of Question

Start of Question

**Case studies**

Start of Case Study

**Case Study 1: Florence, Ronald, Peter and Grace**

Start of Media Content

Audio content is not available in this format.

**Audio 4** Katy outlines the story of Ronald and Florence and their two children

[View transcript - Audio 4 Katy outlines the story of Ronald and Florence and their two children](%22%20%5Cl%20%22Session7_Transcript2)

End of Media Content

Questions to consider:

* How might social workers be involved with the family? What might their role be?
* How can the family be supported to ensure that their basic needs are met?
* How would you support the family? What would your priorities be? How can social workers support a family in this situation?

End of Case Study

End of Question

*Provide your answer...*

[View discussion - Part](%22%20%5Cl%20%22Session7_Discussion2)

Start of Question

Start of Case Study

Start of Media Content

Audio content is not available in this format.

**Audio 6** Ronald and Florence’s story continues

[View transcript - Audio 6 Ronald and Florence’s story continues](%22%20%5Cl%20%22Session7_Transcript4)

End of Media Content

* How can you support this family? Where would you look for advice, help?
* What impact could this situation be having on each member of the family? How would this impact on relationships within the family?

End of Case Study

End of Question

*Provide your answer...*

[View discussion - Part](%22%20%5Cl%20%22Session7_Discussion3)

Start of Question

Start of Case Study

Start of Media Content

Audio content is not available in this format.

**Audio 8** Ronald and Florence’s story continues

[View transcript - Audio 8 Ronald and Florence’s story continues](%22%20%5Cl%20%22Session7_Transcript6)

End of Media Content

* How can social workers use their skills to continue to support the whole family?

End of Case Study

End of Question

*Provide your answer...*

[View discussion - Part](%22%20%5Cl%20%22Session7_Discussion4)

Start of Question

Start of Case Study

**Case study 2: Abdul**

Katy now describes Abdul’s story.

Start of Media Content

Audio content is not available in this format.

**Audio 10** Katy outlines the story of Abdul

[View transcript - Audio 10 Katy outlines the story of Abdul](%22%20%5Cl%20%22Session7_Transcript8)

End of Media Content

* What would your advice to Abdul be? What are his options for support?

End of Case Study

End of Question

*Provide your answer...*

[View discussion - Part](%22%20%5Cl%20%22Session7_Discussion5)

Start of Question

Start of Case Study

Start of Media Content

Audio content is not available in this format.

**Audio 12** Katy continues the story of Abdul

[View transcript - Audio 12 Katy continues the story of Abdul](%22%20%5Cl%20%22Session7_Transcript10)

End of Media Content

* How could this impact upon Abdul?

End of Case Study

End of Question

*Provide your answer...*

[View discussion - Part](%22%20%5Cl%20%22Session7_Discussion6)

Start of Question

Start of Case Study

Start of Media Content

Audio content is not available in this format.

**Audio 14** Katy completes the story of Abdul

[View transcript - Audio 14 Katy completes the story of Abdul](%22%20%5Cl%20%22Session7_Transcript12)

End of Media Content

* How can Abdul be supported?
* What are the risks and critical moments for Abdul?

End of Case Study

End of Question

*Provide your answer...*

[View discussion - Part](%22%20%5Cl%20%22Session7_Discussion7)

Start of Question

End of Question

[View discussion - Part](%22%20%5Cl%20%22Session7_Discussion8)

End of Activity

Start of Box

**Box 4 Seeking advice on immigration law**

Social workers must not provide immigration advice to people with insecure immigration status and asylum seekers. Only accredited immigration advisers registered with the [Office of the Immigration Services Commissioner](https://www.gov.uk/government/organisations/office-of-the-immigration-services-commissioner) (OISC) are authorised to do so. The Immigration and Asylum Accreditation Scheme (IAS) is also in operation. Incorrect advice can have devastating consequences for the individual concerned.

End of Box

In Activity 4, Katy Eagle spoke about the importance of encouraging migrants, refugees and asylum seekers to get appropriate independent legal representation and other advice and support, and the importance of social workers being able to signpost their clients to these services appropriately.

## 7.2 Signposting to other organisations

Signposting can be an important role for social workers working with migrants, asylum seekers and refugees. In the box below there is a list of resources that have all been identified by lawyers and practitioners as being valuable sources of further information, support and advice – there may be many more in your nation and local area. National organisations that offer information and guidance have also been included.

Start of Box

**Box 5 Further information, support and advice**

**Statutory agency**

* UK Visas and Immigration

**Legal advice**

* [Find a legal aid adviser](https://www.open.ac.uk/libraryservices/resource/website%3A118757%26f%3D30646)
* [Find an immigration adviser](https://www.open.ac.uk/libraryservices/resource/website%3A118758%26f%3D30646)
* [The Law Society](https://www.open.ac.uk/libraryservices/resource/website%3A103856%26f%3D30646)
* [Law Society of Scotland](https://www.open.ac.uk/libraryservices/resource/website%3A118759%26f%3D30646)
* [The Law Society of Northern Ireland](https://www.open.ac.uk/libraryservices/resource/website%3A118760%26f%3D30646)
* [Law Centres Network](https://www.open.ac.uk/libraryservices/resource/website%3A125528%26f%3D30646)

**Some useful organisations for advice and support**

* Asylum Aid
* Asylum Support Appeals Project
* British Red Cross Refugee Services
* Freedom from Torture
* Helen Bamber Foundation
* Information Centre about Asylum and Refugees (ICAR)
* Joint Council for the Welfare of Immigrants
* Migrant Help
* Migration Scotland – which provides guidance about entitlements (Scotland)
* Northern Ireland Community of Refugees and Asylum Seekers
* NRPF Network – which provides guidance and a helpful tool about entitlements (England and Wales)
* Project 17
* The Refugee Council (England)
* The Scottish Refugee Council
* The Welsh Refugee Council

**Trafficking and services to children and young people**

* ATLEU (Anti-Trafficking and Labour Exploitation Unit)
* Barnardos
* Becoming Adult
* Child Trafficking Advice Centre (NSPCC)
* ECPAT UK
* JustRight Scotland
* Migrant and Refugee Children’s Refugee Legal Centre
* Modern Slavery helpline and resource centre
* Scottish Guardianship Service
* Unseen

**Domestic violence**

* Rights of Women
* Scottish Women’s Rights Centre
* Southall Black Sisters
* Women for Refugee Women
* Women’s Aid

End of Box

This dual role of providing support for people with insecure immigration status, refugees and asylum seekers, as well as signposting them to appropriate services is explored in the next section in relation to unaccompanied asylum-seeking children and young people.

## 8 Social work and unaccompanied asylum-seeking children and young people

Social services are responsible for children and young people seeking asylum who arrive in the UK unaccompanied or separated from their families. The support of unaccompanied asylum-seeking children and young people (UASC), or separated children, is the responsibility of local authorities under the Children (Scotland) Act 1995 and the Children Act 1989 (in England and Wales). (The term ‘separated’ is preferred by some organisations, as UASC may arrive in the UK with adults who are not their primary carers, or who exploit or abandon them.) These separated children will be entitled to the same range of services as any other ‘looked after’ child.

In England and Wales these young people are initially provided with support by a member of the Refugee Council’s Independent Unaccompanied Asylum Seeking Child Support Service (IUSS), charged with the specific task of providing support and advice for such children (who by virtue of being alone are vulnerable and ‘in need’). In Scotland, the Scottish Guardianship Service provides them with a guardian.

The majority of children that a social worker will meet in practice are children in need; today it is also likely that some of these children will be asylum seekers. Social workers can have a significant advocacy role in supporting the rights of children caught up in the asylum process.

Start of Figure



**Figure 5** Yarls Wood immigration detention centre

[View description - Figure 5 Yarls Wood immigration detention centre](%22%20%5Cl%20%22Session8_Alternative1)

End of Figure

A Refugee Council report (Dennis, 2012) found that children continue to be wrongfully detained because they were erroneously being classified as adults. Young people can often arrive seeking asylum without any documentation showing their age. The detention of children is open to challenge on human rights grounds; social workers are well placed to contribute to public awareness of the need to recognise and protect the rights of the child.

## 8.1 Social work and age assessment

An ethically controversial area of social work practice is assessing the age of asylum-seeking young people. Correct age assessment is important so as to ensure that children get the protection and support they need and are entitled to under law. At the same time, determining the age of a young person claiming to be an asylum seeker is a very difficult issue for the local authority. In some cases, there might be an incentive for young persons entering the country to be held to be under 18, as it entitles them to services and accommodation and postpones questions of repatriation until they are adults. However, in more than half the cases of disputed age where age assessment has taken place, the decision was upheld that the person was in fact a child (Refugee Council, 2018a). These assessments require skilled social workers who take a child-centred approach that is both culturally sensitive and trauma informed. The Association of Directors of Children’s Services (ADCS) has issued good-practice guidance on age assessment (ADCS, 2015), which acknowledges the ethical issues in social workers being involved with this. The guidance states that:

Start of Quote

Age assessments are a controversial subject, and indeed there is a robust debate on whether social workers should complete age assessments at all. While we acknowledge the contested nature of age assessments, some children arrive in the UK whose age may be unclear, unknown or disputed. The fact remains that social workers are currently required to complete age assessments in England so as to ensure any service a child requires is provided appropriate to their age and assessed needs. Social workers, by nature of their education, experience and specialist skills in working with and interviewing vulnerable children and young people, are uniquely positioned to undertake holistic assessments.

(ADCS, 2015, p. 3)

End of Quote

One of the first questions social workers ask is whether it is necessary in a particular case to conduct an age assessment at all? The ADCS guidance states:

Start of Quote

Age assessments should only be carried out where there is significant reason to doubt that the claimant is a child. Age assessments should not be a routine part of a local authority’s assessment of unaccompanied or trafficked children.

(ADCS, 2015, p. 7)

End of Quote

In 2018, the Scottish Government (2018b) published practice guidance to assist social workers in assessing the age of young people seeking asylum in Scotland.

Dyball et al. (2012) suggest that:

Start of Quote

A legally compliant age assessment carried out to professional standards will serve the interests of both the young person and the assessing local authority, not least because of the possibility of a challenge to a decision through judicial review with all that this potentially entails for the parties concerned. It is important therefore to adopt assessment practices that are defensible as this will assist in avoiding unnecessary distress and cost later on.

(Dyball et al., 2012, p. 10)

End of Quote

Assessment should aim to take the trauma and anxiety of the asylum seeker into account and to recognise cultural differences in regard to the recording and significance of age.

## 8.2 Trafficking

Data suggests that 2118 young people were trafficked into the UK in 2016 for the purposes of modern day slavery (ECPAT UK, 2018). The UK government has an obligation arising under the Council of Europe Convention on Action against Trafficking in Human Beings 2005 to identify and protect survivors of trafficking. This happens in the UK through the National Referral Mechanism (NRM). Adults must consent to be referred into the NRM, but children are referred without their consent by first responders (e.g. the police, the Home Office, social workers and a range of non-governmental organisations (NGOs)). Scotland and Northern Ireland have also recently passed modern slavery Acts in order to progress their obligations to detect and prosecute trafficking, and to offer support to survivors of trafficking (see Box 3).

In Activity 5 you will consider some good practice guidance on dealing with suspected child trafficking.

Start of Activity

**Activity 5 Child trafficking**

45 minutes

Start of Question

Start of Study Note

In this activity, you'll be asked to watch a video on child trafficking, which mentions abuse and rape. If you are concerned that you might find this video distressing and that it could adversely affect your mental health, you might like to skip this activity or engage with it only very lightly.

End of Study Note

Watch the following short video on child trafficking made by ECPAT UK and then read the document on [Age Assessment Guidance](http://www.open.edu/openlearn/ocw/mod/oucontent/olinkremote.php?website=K271_4&targetdoc=ADCS%20Age%20assessment%20guidance%20-%20trafficking) from ADCS (ADCS, 2015).

As you watch the video and read the guidance, answer the questions that follow.

Start of Media Content

Video content is not available in this format.

**Video 2** Child trafficking

[View transcript - Video 2 Child trafficking](%22%20%5Cl%20%22Session8_Transcript1)

Start of Figure



[View description - Uncaptioned Figure](%22%20%5Cl%20%22Session8_Alternative2)

End of Figure

End of Media Content

End of Question

Start of Question

1. What can social workers do to support young people who may have been trafficked?

End of Question

*Provide your answer...*

Start of Question

2. What are some of the barriers to the young people accessing help?

End of Question

*Provide your answer...*

Start of Question

3. How might the barriers be overcome?

End of Question

*Provide your answer...*

[View discussion - Part](%22%20%5Cl%20%22Session8_Discussion1)

End of Activity

The Modern Slavery Act 2015 requires statutory guardians for trafficked children. There is a commitment under Section 48 of the Modern Slavery Act for independent child advocacy to be made available to trafficked children; however, the provision of this service across England and Wales has been slow to materialise, and the pilots across ten local authorities were completed in 2022.

## 9 Women, asylum and immigration

Women face particular issues as migrants, asylum seekers and refugees. In the next activity, Meena Patel, of Southall Black Sisters (SBS), discusses some of the challenges that women can face in relation to the immigration system. She talks about the work of SBS, a campaigning and voluntary organisation working nationally with black and ethnic minority women. She focuses on the role of social workers in relation to law and practice in cases involving domestic violence, immigration and where there is no recourse to public funds (NRPF), especially for those on spousal visas. In addition, she considers the needs of women experiencing immigration, asylum and NRPF problems with other forms of gender-based violence, including sexual violence and harmful practices such as forced marriage, female genital mutilation and so-called ‘honour’ based violence.

Start of Figure



**Figure 6** Southall Black Sisters

[View description - Figure 6 Southall Black Sisters](%22%20%5Cl%20%22Session9_Alternative1)

End of Figure

Meena explores the definition of vulnerability, and how this can be applied to women and children seeking help from social services, and who are in need of housing and financial support to prevent destitution when leaving an abusive relationship. In particular, she explains how and why social workers can, and should, house and support women and children together – rather than simply place children into care, which is the practice of some local authorities.

Start of Activity

**Activity 6 Interview with Meena Patel, Southall Black Sisters**

40 minutes

Start of Question

As you listen to the audio featuring Meena Patel, note down your thoughts on the questions that follow.

Please note, this audio is approximately 21 minutes long.

Start of Media Content

Audio content is not available in this format.

**Audio 16**

[View transcript - Audio 16](%22%20%5Cl%20%22Session9_Transcript1)

End of Media Content

End of Question

Start of Question

1. What particular issues do women face as migrants, refugees and asylum seekers?

End of Question

*Provide your answer...*

Start of Question

2. How can social workers support women who are experiencing violence and abuse?

End of Question

*Provide your answer...*

Start of Question

3. Why has SBS campaigned to get various laws, including that on spousal visas, changed?

End of Question

*Provide your answer...*

[View discussion - Part](%22%20%5Cl%20%22Session9_Discussion1)

End of Activity

## 9.1 Seeking asylum

In the final activity, Syeda Akbar – who herself sought asylum – speaks about her experience to help train practitioners and improve practice with asylum seekers.

Start of Activity

**Activity 7 Seeking asylum – a case study**

45 minutes

Start of Question

In the following interview, Syeda Akbar, a young woman from Pakistan who sought asylum in England with her two children, speaks of the many issues she faced during the asylum process, the help she received from Southall Black Sisters (SBS) and her experience of other services. As you listen to Syeda speaking about her different experiences, you might wish to stop and come back to particular issues.

End of Question

Start of Question

Start of Media Content

Audio content is not available in this format.

**Audio 17** Syeda Akbar introduces herself and the issues that led to her seeking asylum

[View transcript - Audio 17 Syeda Akbar introduces herself and the issues that led to her seeking a ...](%22%20%5Cl%20%22Session9_Transcript2)

End of Media Content

Start of Media Content

Audio content is not available in this format.

**Audio 18** Syeda Akbar talks about what she did when her visa ran out

[View transcript - Audio 18 Syeda Akbar talks about what she did when her visa ran out](%22%20%5Cl%20%22Session9_Transcript3)

End of Media Content

Start of Media Content

Audio content is not available in this format.

**Audio 19** Syeda Akbar talks about her first contact with SBS – the voluntary organisation for women

[View transcript - Audio 19 Syeda Akbar talks about her first contact with SBS – the voluntary organisation ...](%22%20%5Cl%20%22Session9_Transcript4)

End of Media Content

Start of Media Content

Audio content is not available in this format.

**Audio 20** Syeda Akbar talks about turning up at social services to ask for support after being evicted

[View transcript - Audio 20 Syeda Akbar talks about turning up at social services to ask for support ...](%22%20%5Cl%20%22Session9_Transcript5)

End of Media Content

Start of Media Content

Audio content is not available in this format.

**Audio 21** Syeda Akbar talks about the way she and her children were treated by the local authority while their case was pending

[View transcript - Audio 21 Syeda Akbar talks about the way she and her children were treated by the ...](%22%20%5Cl%20%22Session9_Transcript6)

End of Media Content

Start of Media Content

Audio content is not available in this format.

**Audio 22** Syeda Akbar talks about her NASS (now Home Office asylum support) accommodation and being dispersed to Coventry

[View transcript - Audio 22 Syeda Akbar talks about her NASS (now Home Office asylum support) accommodation ...](%22%20%5Cl%20%22Session9_Transcript7)

End of Media Content

Start of Media Content

Audio content is not available in this format.

**Audio 23** Syeda Akbar talks about her and her children getting leave to remain as refugees and leaving the NASS (now Home Office asylum support) system

[View transcript - Audio 23 Syeda Akbar talks about her and her children getting leave to remain as ...](%22%20%5Cl%20%22Session9_Transcript8)

End of Media Content

Start of Media Content

Audio content is not available in this format.

**Audio 24** Syeda Akbar talks about how she and her children have settled since being granted leave to remain

[View transcript - Audio 24 Syeda Akbar talks about how she and her children have settled since being ...](%22%20%5Cl%20%22Session9_Transcript9)

End of Media Content

End of Question

Start of Question

Make notes to answer the following questions.

1. What barriers did Syeda face during the asylum process?

End of Question

*Provide your answer...*

Start of Question

2. What support did she find useful?

End of Question

*Provide your answer...*

[View discussion - Part](%22%20%5Cl%20%22Session9_Discussion2)

End of Activity

## Conclusion

Social workers are struggling to find their place in this strongly politicised field of asylum and immigration (Larkin and Maglajlic, 2019). Yet social workers are ideally placed both to challenge existing practice methods and to develop alternative ways of working within a framework of rights, justice and cross-cultural principles. Unlike other professions, social work espouses a holistic approach that breaks down the dichotomies of individuals–society, policy–practice, advocacy–casework. There will no doubt be as much contention within the profession as outside it on these issues, but the debate needs to be engaged.

In this course you have engaged with a difficult area of social work practice where, arguably, the law and social work values are in conflict. It has been suggested that even where the legislative framework seeks to limit social work intervention, an understanding of legal values, such as human rights and due process, can assist social workers to reflect on the space for ethical social work practice that exists within the law.

## Key points

* Statutory social work is limited by law in its ability to address the housing and welfare needs of migrants and asylum seekers.
* Migrants, asylum seekers and refugees face significant barriers to accessing support services.
* Social workers need an understanding of immigration and asylum policy and the asylum process, in order to reflect on their professional role in this area.
* Migrants, asylum seekers and refugees are entitled to social work services where obligations exist under the legislation relating to children, families and adult care.
* An understanding of legal and social work values can assist professionals to negotiate the ethical dilemmas presented by this area of practice.

This course is part of a suite of courses on social work and the law. You may be interested in continuing your studies in this subject with the following courses:

* [An introduction to social work law](https://www.open.edu/openlearn/society-politics-law/an-introduction-social-work-law/content-section-0)
* [Social work law and UK regulation](https://www.open.edu/openlearn/society-politics-law/social-work-law-and-uk-regulation/content-section-0)
* [Applying social work law with children and families](https://www.open.edu/openlearn/society-politics-law/applying-social-work-law-children-and-families/content-section-0)

This OpenLearn course is an adapted extract from the Open University course [K271 Social work law](http://www.open.ac.uk/courses/modules/k271).

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Human Rights Act 1998

Immigration Act 2014

Immigration Act 2016

Immigration and Asylum Act 1999

Immigration, Asylum and Nationality Act 2006

Modern Slavery Act 2015

Nationality and Borders Act 2022

Nationality Immigration and Asylum Act 2002

UK Borders Act 2007

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**International instruments**

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European Convention on Human Rights 1950

United Nations Convention on the Rights of the Child 1989

United Nations Convention Relating to the Status of Refugees 1951

Universal Declaration of Human Rights 1948

**Books, articles, reports and other sources**

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## Acknowledgements

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Figure 2, (2) A demonstration in the East End of London against the Alien Act 1905: Topical Press Agency / Stringer / Getty

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## Text

Section 8.2, Age Assessment Guidance – ADCS: Taken from ADCS Leading children's services. Age Assessment Guide. Oct 2015.

## Audio-visual

Video 1: The Open University

Video 2: ECPAT UK

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## Solutions

## Activity 1 Myth busting: how much do you know?

### Part

#### Answer

Asylum seekers come mainly from countries where there is political or military conflict, such as Syria, Iran, Pakistan, Iraq and Afghanistan. This changes from year to year.

[Back to - Part](%22%20%5Cl%20%22Session4_Part1)

### Part

#### Answer

Asylum applications in the UK have declined significantly since their peak and remained relatively stable since, although there has been some recent increase.

[Back to - Part](%22%20%5Cl%20%22Session4_Part2)

### Part

#### Answer

Asylum applications (excluding dependents) peaked at 84,100 in 2002 and reached a low of 17,900 in 2010.

[Back to - Part](%22%20%5Cl%20%22Session4_Part3)

### Part

#### Answer

**Right:**

50,000

**Wrong:**

100,000

10,000

After several years of relatively stable numbers of asylum applications, there has been a recent increase after the COVID-19 global pandemic. There were 48,540 applications, which is still around half the level of the previous peak in 2002 (84,132 applications).

#### Unaccompanied children and young people

There were 3775 applications in 2019 and 3762 applications in 2021 in relation to unaccompanied children and young people seeking asylum. There has been an increase in applications from Iran, Iraq and Afghanistan.

In 2017, 89 per cent of applicants were male.

There were 712 age-disputed cases in 2017; in 55 per cent of these the decision was taken to grant refugee status. This demonstrates that the initial decision was incorrect in just over half the cases.

(Refugee Council, 2018a)

[Back to - Part](%22%20%5Cl%20%22Session4_Part4)

### Part

#### Answer

**Right:**

£40.85 a week

**Wrong:**

£100 per week

£57.90 a week

£40.85 a week.

[Back to - Part](%22%20%5Cl%20%22Session4_Part5)

### Part

#### Answer

In the UK in 2019, approximately 10,000 potential victims of trafficking and modern slavery were identified.

[Back to - Part](%22%20%5Cl%20%22Session4_Part6)

### Part

#### Answer

Nearly half of all potential victims were under the age of 18.

[Back to - Part](%22%20%5Cl%20%22Session4_Part7)

### Part

#### Answer

The most common country of origin of these children was the UK (32%), followed by Vietnam (17%), Albania (10%), Sudan (7%) and Eritrea (6%).

More than a quarter of all trafficked children go missing from local authority care each year in the UK.

(ECPAT UK, 2018)

[Back to - Part](%22%20%5Cl%20%22Session4_Part8)

#### Discussion

There is a great deal of confusion about the number of asylum seekers and refugees in the UK and the amount of support that they receive – in 2016 just over £5 a day. The numbers of asylum claimants is low compared with net migration to the UK as a whole.

The Refugee Council points out that:

Start of Extract

* asylum seekers and refugees do not receive large handouts
* asylum seekers and refugees are law-abiding citizens
* refugees make a huge contribution to the UK
* Britain’s asylum system is very tough
* poor countries look after most of the world’s refugees.

(Refugee Council, 2018b)

End of Extract

[Back to - Part](#Session4_Part8)

## Activity 2 The people behind the statistics

#### Discussion

This can feel like an upsetting and uncertain area to practice within. Sometimes, as the video shows, it is often difficult for people with insecure immigration status to meet the most basic of their needs, such as shelter, food and clothing. You will hear from practitioners as you progress through this course that being able to help people, acting with humanity and compassion, and being aware of the avenues that might be open to help people with NRPF – and where the law might make a real difference to someone’s life – can be rewarding. Supervision and a network of support is also important for practitioners, in order to be able to maintain compassion and resilience in the face of often difficult situations and upsetting stories (Guhan and Liebling-Kalifani, 2011).

[Back to - Activity 2 The people behind the statistics](%22%20%5Cl%20%22Session4_Activity2)

## Activity 3 Working with asylum seekers and refugees

### Part

#### Discussion

Wafa Shaheen dispels many of the myths that affect some public perceptions of asylum seekers and refugees and outlines the problems that they face both on arriving in the UK, and applying for asylum and in accessing services. These include the immediate practical necessities for housing, clothing and food; the personal difficulties that stem from the traumatic experiences that have led to them seeking asylum in the first place, and the legal and social barriers that exist to securing shelter or safety. In 2017, the asylum allowance for an individual for everything excluding housing was £36.95 (to cover food, clothing, travel to appointments, phone and other necessities).

She mentions some of the legal processes that apply to asylum seekers and emphasises the importance for people working with asylum seekers to have a full appreciation of their situation and particular needs, including their vulnerability and the need for social support. Unaccompanied children, and those under the age of 18, seeking asylum are entitled to social work support and to be accommodated as ‘looked after’ children by the local authority. They are also able to access other entitlements such as education.

Under current legal arrangements those adults seeking asylum in most cases are not allowed to work, they do not have access to mainstream benefits or housing, and must depend on support from the Home Office asylum-support system for meeting their basic needs; where this is lacking, they are reliant on the availability of charitable help. Asylum seekers in receipt of support are required to sign an Asylum Support Agreement which sets out the conditions they must meet. These conditions include living at an officially approved address, obeying requirements about reporting weekly at a place designated by the Home Office in order to receive support. There is a high level of destitution among those from whom financial and housing support has been withdrawn; this has become part of government policy to encourage the return to their country of origin of those whose application for asylum has been refused. There is also a high level of demand for social work services in the area of community care, unaccompanied children and young persons seeking asylum and support for children and families.

You may have a range of ideas about ways in which social workers and other people can work with asylum seekers and refugees (including unaccompanied children and young persons seeking asylum) in empowering and anti-oppressive ways. Social work, as it relates to asylum seekers and refugees, should challenge the labels that are often applied to these potential service users and avoid generalised assumptions about their experiences and needs. It is important to ‘see the individual’, to be sensitive to the experiences that asylum seekers may suffer, and to consider the implications of this in relation to their effective engagement with social work services. Practitioners must also remember, as Wafa outlines, that this group are particularly vulnerable because they often lack access to other support networks, such as extended family and friends, that many of us take for granted.

[Back to - Part](%22%20%5Cl%20%22Session5_Part5)

## Activity 4 Katy Eagle – Social work practice with migrants, asylum seekers and refugees

### Part

#### Discussion

Above all, Katy talks about remembering core social work values and acting with humanity and compassion. As well as offering practical help and support for people’s immediate needs, she talks about the importance of supporting people emotionally.

You can hear Katy outline more of her practice observations in the next part of this activity.

[Back to - Part](%22%20%5Cl%20%22Session7_Part4)

### Part

#### Discussion

Now listen to Katy reflecting on her practice in relation to these questions.

Start of Media Content

Audio content is not available in this format.

**Audio 5** Katy reflecting on her practice

[View transcript - Audio 5 Katy reflecting on her practice](%22%20%5Cl%20%22Session7_Transcript3)

End of Media Content

[Back to - Part](%22%20%5Cl%20%22Session7_Part6)

### Part

#### Discussion

Now listen to Katy reflecting on her practice in relation to these questions.

Start of Media Content

Audio content is not available in this format.

**Audio 7** Katy reflects on her practice

[View transcript - Audio 7 Katy reflects on her practice](%22%20%5Cl%20%22Session7_Transcript5)

End of Media Content

[Back to - Part](%22%20%5Cl%20%22Session7_Part7)

### Part

#### Discussion

Now listen to Katy reflecting on her practice in relation to this question.

Start of Media Content

Audio content is not available in this format.

**Audio 9** Katy reflects on her practice

[View transcript - Audio 9 Katy reflects on her practice](%22%20%5Cl%20%22Session7_Transcript7)

End of Media Content

[Back to - Part](%22%20%5Cl%20%22Session7_Part8)

### Part

#### Discussion

Now listen to Katy reflecting on her practice in relation to this question.

Start of Media Content

Audio content is not available in this format.

**Audio 11** Katy reflects on her practice

[View transcript - Audio 11 Katy reflects on her practice](%22%20%5Cl%20%22Session7_Transcript9)

End of Media Content

[Back to - Part](%22%20%5Cl%20%22Session7_Part9)

### Part

#### Discussion

Now listen to Katy reflecting on her practice in relation to this question.

Start of Media Content

Audio content is not available in this format.

**Audio 13** Katy reflects on her practice

[View transcript - Audio 13 Katy reflects on her practice](%22%20%5Cl%20%22Session7_Transcript11)

End of Media Content

[Back to - Part](%22%20%5Cl%20%22Session7_Part10)

### Part

#### Discussion

Now listen to Katy reflecting on her practice in relation to this question.

Start of Media Content

Audio content is not available in this format.

**Audio 15** Katy reflects on her practice

[View transcript - Audio 15 Katy reflects on her practice](%22%20%5Cl%20%22Session7_Transcript13)

End of Media Content

[Back to - Part](%22%20%5Cl%20%22Session7_Part11)

### Part

#### Discussion

Katy commented:

Start of Quote

We find that many of the people we support come to us at the point of crisis. People who are having problems related to immigration or asylum often become known to support services at that point of crisis – and this could be charities, health services, churches, food banks, or statutory services such as children’s or adult social care, or mental health teams.

Often, our immediate support is to make sure that people’s most basic needs are met – food, shelter, food/nappies for babies, clothing etc. Basic necessities that people have not been able to obtain when their support network has broken down, their circumstances have changed suddenly or they can no longer manage alone.

In terms of social work theory, we find it useful to consider Maslow’s hierarchy of needs, which is a model that shows that a person has to have their fundamental basic needs (food, shelter, safety) met before they can reach their potential and go on to achieve their goals and ambitions. Accordingly, key support at this stage for a person seeking asylum who has arrived in the country may include signposting to a solicitor or immigration support service for advice – it is really important to know what specialist services are operating in your area: for example, British Red Cross, Migrant Help, Refugee Council and local projects supporting people – food banks, etc.

If children are destitute or at risk of this, we consider referring to children’s service for support under Section 17 of the Children Act 1989 and Section 22 of the Children (Scotland) Act 1995. We also find that it’s important to know some of the terminology around asylum and immigration – No Recourse to Public Funds, National Asylum Support Service (now Asylum Support), tribunals, appeals, further submissions and voluntary return but we also focus on not labelling people, for example as ‘illegal’. We find that it is again important for us to know who can provide legal advice – e.g. our local law centre, university law clinic, pro bono advisers.

Immigration advice is regulated in the UK and providing immigration advice without registration is a criminal office. Social workers therefore need to be aware of what information they can provide and when to seek further advice/support for people. The registration is known as ‘OISC’ (Office of the Immigration Service Commissioner) registration and advisers must be accredited through this scheme.

People in the UK who are experiencing difficulties with immigration often tell us that the process can be dehumanising and belittling and having to prove your case (for example your sexuality) can be very very difficult. Our advice for other professionals is always to focus on the person and be compassionate – seemingly simple things like taking the time to offer a hot drink to someone in crisis can make a huge difference. We often see other people that other agencies feel they can’t support due to someone’s immigration status – sometimes this is true, but other times, it is based on misconceptions or misunderstanding – but we often need to challenge the reasoning behind these decisions and advocate for people to have fair access to services. The climate of a ‘hostile environment’ immigration policy can make daily life difficult for people – even a trip to hospital could bring a large bill.

In the case studies, Florence, Ronald and family, and Abdul could also be vulnerable to exploitation and vulnerable to crimes such as modern slavery, as their lack of financial resources and the means to change this could lead them to alternative ways of providing for themselves that leave them vulnerable. We have heard from people who have found themselves in abusive and exploitative situations, but who are too afraid about the consequences to report this to the police or safeguarding teams.

Whilst modern slavery is not just about international borders and immigration issues, many people experiencing modern day slavery have come to the UK from overseas. We’ve found the most valuable support we can provide is a listening ear and being alert to the signs of modern slavery, and then knowing what to do with concerns – support is provided through a National Referral Mechanism (immediate concerns should be reported to the police) and there is a [national helpline](https://www.open.ac.uk/libraryservices/resource/website%3A125070%26f%3D30646) that can provide advice to people and professionals, currently run by Modern Slavery Helpline.

(Comment prepared by Katy Eagle, Embrace Life, Luton, 2018)

End of Quote

[Back to - Part](%22%20%5Cl%20%22Session7_Part12)

## Activity 5 Child trafficking

### Part

#### Discussion

The ADCS (2015) guidance states:

Start of Quote

In 2014, 627 children were referred to the National Referral Mechanism as potential victims of trafficking, 327 females and 300 males. Most of these children were trafficked for sexual exploitation, labour exploitation or domestic servitude. Social workers must be alert to the possibility of child trafficking and be prepared to instigate a child protection response where a child may be at risk.

(ADCS, 2015, Appendix B)

End of Quote

Many of the trafficked young people are British. As you saw in Activity 1, at least a quarter of trafficked young people in the UK are young people who have gone missing from the UK care system.

Identifying trafficked children can be a challenge. Children are unlikely to disclose that they have been trafficked, and they may believe that they have come to the UK for a better life or be suspicious of authority or adults. They are also often disbelieved when they do disclose information and can find themselves being prosecuted in the UK for enforced criminality, rather than being identified as victims of exploitation (ECPAT UK, 2018).

For a variety of reasons, including fear of repercussions for themselves and for their families, it can also be difficult to get trafficked children to provide a clear story, especially given that they might have been coached to provide a particular a story by their abusers. Taking the time to ensure their safety, gain children’s trust and to build a relationship is crucial to an accurate social work assessment. Expert advice from the organisations working in this field can be helpful (see Box 5 in Section 7.2). One useful resource is the [London Safeguarding Trafficked Children Toolkit](https://childhub.org/en/child-protection-online-library/london-safeguarding-trafficked-children-guidance) (London Safeguarding Children Board, 2009).

[Back to - Part](%22%20%5Cl%20%22Session8_Part4)

## Activity 6 Interview with Meena Patel, Southall Black Sisters

### Part

#### Discussion

Meena discusses how the law can be used to support women and why SBS has campaigned successfully for legal change – for example, on spousal visas. Effective early intervention by social workers can help to prevent the escalation of abuse and harm both to vulnerable women and their children, and reduce the possibility of litigation where they fail in their duty of care.

Also, as Meena outlines, faced with financial constraints and legal limitations, social workers need to look at other sources of help to which they can refer women for legal, housing and welfare assistance and support, such as women’s domestic violence housing, support and advocacy services, and immigration lawyers or advisers.

Additionally, the needs of women with no dependent children can be met and, as some local authorities apply narrow interpretations of the law, social workers can help to ensure that these women can be defined as ‘vulnerable’ adults, by considering a range of factors, such as pregnancy, age, health and social circumstances. This is especially important in a context where migrant women face multiple problems and forms of discrimination. For instance, Asian women are three times more likely than women generally to commit suicide due to undiagnosed mental health problems caused by abuse. They also have higher rates of self-harm and suicide ideation, which can be compounded by an insecure immigration status or barriers to accessing support and protection because of the NRPF restriction (Siddiqui and Patel, 2010).

Meena discusses the importance of the support group run by SBS and the role of peer support in supporting women through challenging circumstances. Social support and building social networks is an important facet of support.

One source of information for women and girls escaping violence with insecure immigration status is Rights of Women.

[Back to - Part](%22%20%5Cl%20%22Session9_Part4)

## Activity 7 Seeking asylum – a case study

### Part

#### Discussion

The advocacy and practical support that an organisation like SBS was able to provide at a point where Syeda did not know where to turn was particularly valuable.

As Syeda’s story shows, although there are common themes in the experience of seeking asylum which we can learn from, every experience is also different. It is therefore important to treat migrants, asylum seekers and refugees as individuals in their own right with their own stories to tell and their own sense of agency. Being spoken to in a humane way, being treated with dignity and being offered social and practical support can make a huge difference to someone’s life, especially at a time when they may be feeling lonely. Syeda asks whether some of her poor treatment was as a result of the law or of attitudes. What do you think? As you have explored in this course, the law can be constricting in relation to social work practice with asylum seekers and immigrants, but – as you have seen – there are organisations that can offer support and knowledge about the law. It is also important to recognise the resilience that people like Syeda and her children show in adapting to their new circumstances.

[Back to - Part](%22%20%5Cl%20%22Session9_Part8)

# Figure 2 (1) An advertisement from 1902 for an anti-immigration demonstration. (2) A demonstration in the East End of London against the Alien Act 1905.

## Description

First image: a poster from 1902 advertising ‘A Great Public Demonstration’ by the British Brothers’ League in favour of restricting further immigration. Second image: black-and-white photo of a street demonstration with placards reading ‘We appeal to Great Britain to stop the butchery of Jews in Poland’.

[Back to - Figure 2 (1) An advertisement from 1902 for an anti-immigration demonstration. (2) A demonstration in the East End of London against the Alien Act 1905.](%22%20%5Cl%20%22Session1_Figure1)

# Video 1 ‘We slept on the buses: Britain’s homeless children’

## Transcript

[MUSIC PLAYING]

BYO

Every night, I was worried for their safety-- a family sitting at the bus stop by 2:00 AM. If I was a child, I would be scared.

BOY

The worst bit was having to wonder parts of the night, wondering, wondering until the morning comes. All I knew was that we were homeless and that we had nowhere to sleep.

NARRATOR

In 21st-century Britain, you don't expect to see children sleeping rough. But across the country, that's exactly what's happening.

BENJAMIN MORGAN

We're seeing children sleeping with their parents on the night buses, children and parents sleeping in the accident and emergency departments at hospitals. We've known families who have slept in bin sheds. Britain isn't supposed to be a place where we let children sleep on the street, and yet this is the day to day reality for significant numbers of migrant families in London and in other parts of the UK.

NARRATOR

Tambara and Byo were living and working in Britain when their first child, James, was born. When he was just a few months old, their plans to return to Nigeria to renew their visas were disrupted when James was diagnosed with a serious medical condition.

TAMBARA

The doctors said that if we take our child back to Nigeria, that he would lose his sight and his life expectancy will be cut short. So to us, it wasn't more like deciding to overstay knowing. We didn't even see it as that. It was more of trying to fight for my son.

NARRATOR

Their visa application was eventually refused. They were unable to work, and so had to be supported by friends. Late last year, Tambara and Byo had run out of options, and so approached their local authority for help. They were turned away and found themselves homeless with their three sons.

They were homeless on and off for seven months. They spent a night in a police station, nights in an A&E ward, and a week in an empty house. But many nights, they rode buses for hours, until they found a friend who could take them in.

BYO

We'd take a long bus ride, at least to keep warm. With the children, some of them would have slept on the bus. And we are having to carry and drag them with the suitcases and everything. My older one was sort of trying to get a grasp of what is happening. And he would turn to me and say, why is mommy crying? What's happening?

BOY

At first, I felt angry, at the same time sad. They'd be like, OK, we'll pick you up from school, start trying to make some calls to make sure that we have a place to sleep. And if it doesn't work by late, we'll just start wandering. They says just do anything we can to find a place to sleep.

NARRATOR

Sleeping rough over the winter months, the two youngest boys developed asthma. Some weeks, they weren't able to attend school or were so tired, they would fall asleep in class. James dropped from the top of his class to the bottom. Their middle child developed behavioural issues.

CLARE JENNINGS

I think in the last couple of years, we've seen more families who have experienced street homelessness, where the local authority have concluded that the children aren't in need because they don't think the parents are credible. It's moved so far away from an assessment of whether the children are in need, and more an interrogation of the parents.

BENJAMIN MORGAN

Social workers usually start from a position of mistrust. So their first question when families present will be not what are your children's needs, but bluntly speaking, are you trying to scam us? We've known of cases where a child has been asked by a social worker if your family is destitute, how come your shoes look so shiny? Crying mothers have been told, well, the fact that your crying must mean that you have something to hide.

NARRATOR

Often, these families have faced some sort of crisis-- a relationship breakdown, domestic violence, a sudden job loss. For the first time, they look to the state for help only to find the state isn't there.

MARY

My aunty brought me here when my mother passed away in Nigeria. Since I've been here, my father passed away as well.

NARRATOR

Mary has leave to remain in the UK with no access to public funds, and so can't access benefits or normal homelessness support. When she was three months pregnant, her husband kicked her out and refused to have any contact with her.

MARY

I did try to go back to my husband's family side, but none of them were responsive to any of my calls or texts. All throughout the whole pregnancy stuff, the relationship between my aunty and I wasn't great, so she didn't allow me back at her house. I didn't have anywhere else to go.

NARRATOR

With no support network, no money, and an infant son, Mary turned to Camden Council for help. They refused. She has been living in the spare room of a stranger's house, organised by a charity. But this week, she will have to leave and has no idea where she will go next. She's one step away from sleeping on the streets.

MARY

I can't see myself sleeping at the bus stop or at the bus station with my child. Who knows what will literally happen to me and my child at night? The option that we have is probably to go to the police station. From there, I don't know what's going to happen.

NARRATOR

The council have told Mary that her son could live with her ex-partner's family. But she says the relationship has broken down to such an extent that if she gave them her son, she would not be able to see him. According to a report from the charity NELMA, in 20% of the cases they saw, women were told to return to an estranged partner to solve a housing crisis, even when there had been a history of violence and abuse. At one point, Mary said the local authority told her that to solve her problems, they could take her baby into care.

MARY

That got me really mad because I'm not saying that I'm not capable of looking after my child. I can look after my child myself. What we need from you is a shelter.

BENJAMIN MORGAN

Being homeless has an abiding psychological effect on children. And we've met children the morning after they've spent the night in a police station because social services have turned them away. We've heard them sobbing over the phone. We've seen them mute and listless the next day.

BYO

There's no amount of explanation I'm going to give to him as a three-year-old. He's not going to understand it. He was in pain and I can't help him. And I just held him, and I was just crying, and I was pleading with him that he shouldn't worry, that it would soon be all over. There's going to be better things that--

TAMBARA

We're going to be fine.

NARRATOR

Tambara, Byo, and the boys were eventually housed by their local authority after a judicial review of their case. They now have a roof over their heads, but the impact of that seven months of homelessness stays with them.

TAMBARA

What they've done to my children is they've taken their innocence away. The kids still have nightmares. The middle one wets the bed.

CLARE JENNINGS

There should not be street homeless children in the UK.

BYO

This is not what you think about Britain.

TAMBARA

Nah.

BYO

This is not what the world out there knows about Britain.

TAMBARA

Absolutely.

MARY

Out there, people are suffering.

CLARE JENNINGS

I think it's only a matter of time before there's some form of tragedy, really.

NARRATOR

What sort of tragedy?

CLARE JENNINGS

I wouldn't be surprised if someone dies at some point because of this.

MARY

We really, really need help for the sake of my child. I have no idea what is going to happen next.

[Back to - Video 1 ‘We slept on the buses: Britain’s homeless children’](%22%20%5Cl%20%22Session4_MediaContent1)

# Audio 1 The Scottish Refugee Council and the asylum process

## Transcript

Wafa Shaheen

The Scottish Refugee Council is a national human rights charity, organisation, that works with asylum seekers and refugees to try to help them understand and access their rights through provisional information and advice, and then we take these issues and try to influence policies and support Scottish politicians to speak on behalf of these issues. We assist people to raise their voice and talk about their issues because it’s more powerful when it comes from the real person. We do briefings all the time. We do conferences. We try to raise these issues locally and at a national level as well.

The whole migration debate does frustrate me personally because, as media, as politicians, we make it bigger than it is, and we focus on people’s vulnerability and people as a burden instead of… For example, in Scotland, we do need people, we need migrants, because you need workforce basically but you don’t see that argument. You see it in other European countries in terms of the rhetoric and the debate on migration. It’s not in the UK.

Fiona Cotterill

Can you give me an example of when somebody comes here, what kind of issues are they facing and what can you help them with?

Wafa Shaheen

People come for different reasons. Some people come just to find out information about available services, either social activities - they want to know where they can access language courses. Are the entitled to work and how can they find a job - or, they are having a specific legal issue that they want help with. So, we are registered with the Office of Immigration Commissioner Services, and our advisors have a level of expertise that they can actually either respond to these issues or refer to specialist immigration lawyer. There are people who come here and say ‘I want to claim asylum’ or ‘I can’t go back home’, so our role is to try to understand their circumstances to see if asylum is their only option, and if asylum is their only option, we try to assess them to access their asylum procedure in the UK. If you are in the country to register your asylum claim, the only place is Croydon in London. So, we have to help people to travel to Croydon. Once people then get their asylum registered with the Home Office, it’s up to the Home Office to send them to a city that has asylum accommodation in the UK. So, the people that we send to Croydon, they might come back, they might go to other city – wherever asylum accommodation is available. To get their accommodation and support from the Home Office, they have to have their asylum claim registered and ongoing, and they have to prove they are destitute – they don’t have other means to support themselves. Then, people will be dispersed by the Home Office to Glasgow – Glasgow is the only dispersal city within Scotland since 2000. Once they get their accommodation here, they get between £35-£36 a week. It’s per person, so if you’re single that’s all what you’re getting. If you are family, then it’s per each member of the family but that will be for your food, for your travel, for anything else that you need to buy.

Fiona Cotterill

So, are asylum seekers eligible for any other benefits other than what they’re given through the NASS system?

Wafa Shaheen

In terms of financial support, the asylum support is only benefit they are entitled to. The main thing that people don’t have is the right to work. They still have the right to education, maybe not to full-time further education. In Scotland, asylum seekers have the right to access English Language provision. They still have the right to health services. If they meet the threshold for vulnerability, not caused by destitution, then they have right to social care as well. Children have the same rights as everybody else in Scotland, so preschool, school, all the grants that other kids get, and the other big difference with England is legal aid, so asylum seekers can access legal aid throughout the whole process.

Fiona Cotterill

Can you tell me a little bit about what the National Asylum Support Service actually involves?

Wafa Shaheen

The National Asylum Support Service is a welfare system for asylum seekers who arrive to the country, have registered their claim, so there is ongoing, live asylum claim, and people are destitute.

The issue is not just about asylum seekers who have access to asylum support, the Home Office asylum support, but it’s also for those who access the asylum system with no rights. So, they will get… their asylum claim will be refused and they will have to stop getting support basically from the Home Office, and they are now part of the group that’s called No Recourse Public Fund. The Scottish Local Authorities are in the process of trying to write guidance on the No Recourse Public Fund because it extends beyond asylum seekers. For those who are in receipt of asylum support, basically they are in poverty. It gets worse if you have children because if your children are in school then they could be excluded from some activities because they have to have money to pay it. It’s a huge issue. There are a few projects and charities that will assist. There are some private investors that are willing to pay towards education. We get small amounts of money for children activities. If you are single, and not vulnerable, then you’re doomed.

Those single people who are destitute because their asylum has been refused, there is the risk of them ending up in the streets. There are limited options in terms of accommodation. There are night shelters but very, very limited, and there are a few people who go into and out of destitution, so if we can help them to explore some options, we have a project called DASS, which is Destitute Asylum Seekers Service. The target group are those who exit the asylum process with negative decisions to sit down with them and see what other options, legal avenues, they can go through, and in the last year we assisted 33% of those people to get back into the asylum system, but the majority will disappear because there is nowhere for people to go.

Fiona Cotterill

Other than the financial pressures, what other difficulties do asylum seekers face?

Wafa Shaheen

There is a negative perception by people. There is the lack of language skills, sometimes there are the lack of social networks for people. So, they have no-one to rely on. However, asylum seekers, because they all go through the same circumstances, they form sometimes friendships, and there are lots of people who sofa-surf, so they sleep on other people’s floors, and it’s not just about isolation but it’s the impact of isolation on people, it’s the impact of their mental wellbeing. You see people and you see young people who spend most of their lives here with no hope.

If we’re talking about children within families, then there is emotional thing that they actually see their parents go through because the asylum process is not an easy process but, because of the limited resources that people have as well, they can’t actually engage in lots of activities, so they can’t go to the cinema for example because it would cost a lot of money, but even in school, and if they are new in the city and their language is not great, other children tend to pick the language and everything quite quickly, they still feel they’re different from their peers.

[Back to - Audio 1 The Scottish Refugee Council and the asylum process](%22%20%5Cl%20%22Session5_MediaContent1)

# Audio 2 Social work with asylum seekers including unaccompanied children and young people

## Transcript

Wafa Shaheen

Most local authorities don’t want to see homeless people, and we’ve been working very actively with Glasgow City Council who are willing to assist if they get the right legal advice to say that they are not acting against the law. There is that huge confusion about ‘what does constitute a public fund? What doesn’t constitute a public fund?’ Politically, there is a willingness to help. For me, and this is clear from the local authorities, if somebody is vulnerable, then they do have duty to support them, and they do in most cases with a struggle sometimes in some cases. For women with children, they take it for granted that it’s their duty to support families with children. The issue that we can assist with is we get the attention of the local authority and we get them aware of these cases. Lots of people are aware now that the local authorities might have to share information with the Home Office, so that stops people from approaching local authorities. So, they tend to go to third sector, so charity organisation like ourselves where they can trust, and then we can actually advocate on other people’s behalf.

Fiona Cotterill

You mentioned children. What particular pressures do children face when they come to Scotland?

Wafa Shaheen

If children arrive without their family, then the added pressure of they’re alone here in a foreign country. In Scotland, we have the guardianship project that we run in partnership with Aberlour so we manage the project but Aberlour which is a national children’s charity, they deliver the service, so each unaccompanied asylum child that comes to Scotland will have the right to have a guardian. This is actually funded by the Scottish Government, and the role of the guardian is to work with a child, not just to advise them and support them with their asylum process, but with all aspects of their lives, so the relationship with the social worker, the relationship with the education provider, and they run lots of social activities for children. So, the guardian works like a bridge between the child and all the services around them because there are so many things. There is the lawyer, there is the social worker, there is an immigration officer – it is a lot for children.

The issue with unaccompanied children – there are young children, so the whole concept of asylum is… mind you, the concept of asylum is not an easy concept for anybody, so imagine if you are a child, and if your child is 12, how do you explain to children this is what it means, and some children, if they are as young as 12 and 13, they will get granted discretional leave until they are 17 and a half and, sometimes, they don’t understand why they are not getting the right to stay. The other issue for unaccompanied asylum seekers is the need to prove their age and how do they get their age assessed, so some social workers will actually look at the child and say ‘I don’t believe you’re under 18’ and how do you accurately tell somebody’s age by their look or by any other measures? There are boys who have beards. Some children will look older than their age, and it’s really hard actually to prove their age, and there are cases where age was disputed, so we have both the guardian and the legal practitioner trying to advocate on their behalf with the social worker but we had a few cases where social workers were adamant that they are over 18 and we had to support people to travel to Croydon but it wasn’t comfortable for us to send these children who we are not sure if they are older than 18, and even if they are 18, putting people on bus overnight to Croydon is… it’s a big thing.

Fiona Cotterill

We’ve just mentioned social workers. In what circumstances do social workers become involved with asylum seekers?

Wafa Shaheen

For adults, in the asylum process, the only time that social workers get involved is when we make a referral, so there has to be a case – either adult protection or for vulnerability reasons basically. So, for example, we had somebody with severe health issues who was in hospital for a long time and, before he got discharged from hospital, he was destitute. We actually worked with Glasgow City Council and advocated on his behalf, and they accepted the responsibility, and they are supporting him through social work with financial assistance and accommodation. The other stuff that he needs, so access to legal provision, we are still working with him to see what options are available for him but, even if there is no option, the social work department have accepted to support him.

Fiona Cotterill

What advice would you give to individual social workers about dealing with asylum issues and individuals who maybe are seeking asylum or who’ve fallen out of that asylum system?

Wafa Shaheen

The advice I give to everybody, not just to social workers, when you deal with asylum seekers and refugees, remove the tag. Remove the tag of ‘asylum seeker’ and don’t look at the colour of the person. Look at their circumstances because that’s the whole purpose and the rationale behind all social work practices is the person that you deal with – what is their circumstances? And, to be fair to lots of social workers that we come across, they do understand this and want to treat people as people but the system and the structures they work in are very restrictive, there is a lot of confusion, and social workers on the ground need a lot of support from their managers. Immigration and legal issues are very complex. You have to be qualified to provide immigration advice, so if you are a social worker, it’s not your role to provide legal advice, plus it’s breaking the law if you give immigration advice or if you’re not a qualified immigration advisor.

Social worker can go to Scottish Refugee Council, or immigration lawyers. Scottish Refugee Council advisors are all registered with the Office of Immigration Service Commissioner, so they are experts in their field.

[Back to - Audio 2 Social work with asylum seekers including unaccompanied children and young people](%22%20%5Cl%20%22Session5_MediaContent2)

# Audio 3 Katy Eagle

## Transcript

JEANETTE COPPERMAN

Hi, I’m Jeanette Copperman, one of the authors on K271 and the author of this Learning Guide. I’m here in Luton talking to Katy Eagle, who’s a social worker with Embrace Life. Katy, could you tell us a little bit about your role as a social worker in Luton?

KATY EAGLE

So I’m a social worker with Embrace Life which is a voluntary service in Luton. We support people who are living with HIV and also people who identify as LGBT. We work with people in a voluntary role so very different to statutory services. We work with people holistically, looking at their needs, so that could be anything from housing, immigration, their physical and mental health and a lot of work we do is with people who don’t meet the threshold for statutory intervention and a lot of preventative work as well, with people who hopefully resolve some of the struggles they’re having before things escalate.

JEANETTE COPPERMAN

Can you give us some examples of the people you work with , the kind of issues that they face?

KATY EAGLE

So we work with a huge variety of people. We work with families and children, we work with single adults, we work with older people and we work with people who have long term health problems, people who face a huge amount of stigma from the community around the conditions that they have. People who are very very socially isolated because of the conditions they have or they physically can’t get out much. And we are a safe space, we run a drop in for them to come and spend time with people that they know are going to be friendly and supportive. We work with people who identify as LGBT and so a huge amount of UK nationals, some young people who maybe their family aren’t so accepting, but also people who are arriving in the UK seeking asylum on those grounds and people who, therefore, will be living pretty much in poverty, people who have no connection with their family anymore, people who are very isolated.

JEANETTE COPPERMAN

How did you get involved in this area of law, it can be quite a daunting area of law for social workers to be involved with?

KATY EAGLE

It can be a daunting area of law, it changes very quickly, there’s been a lot in the rules recently about policy changes. But I came to this area of work before I trained as a social worker, I was a volunteer for a voluntary organisation - The British Red Cross - working with refugees and asylum seekers and vulnerable migrants and from then I went on to train as a social worker and now I’m here with another voluntary organisation. Yeah.

JEANETTE COPPERMAN

How do you enjoy your job?

KATY EAGLE

I really enjoy my job. We work with a huge amount of people whose support elsewhere is quite limited so I think what we do here is really valuable in being a safe space for people to come and talk, for being a friendly face to come and talk to in the same way that maybe they wouldn’t talk to a social worker form statutory services that they perceive as having more power, more authority and making very different decisions in relation to them. We see some really difficult cases, we see people who are really, really struggling and people who are in some awful situations. But we also see some really lovely situations and people helping their neighbours, charities that do some brilliant work, and people whose lives change very much for the better when they get asylum, when they get immigration status granted and suddenly they come back and tell us that they found a job, they’ve moved away and tell us they don’t need us anymore, but in a really nice way, kind of “thanks, I’ve moved on now”….which is nice as well!

JEANETTE COPPERMAN

Within your role as a social worker here, you meet a lot of people who are at a point of crisis, what immediate support needs do you think they have?

KATY EAGLE

So we see a lot of people who do come to us a the point of crisis, they come to us when their support networks have broken down, and they’re no longer managing on their own. We very often work with people to look at their most basic needs first. People need somewhere safe to stay, people need food, people need to stay warm and dry, people need clothes. We also hand out things that people don’t like to ask for, we hand out sanitary towels to people and we offer them because otherwise people will not ask. We work with food banks and charities in the area to make sure that people have got really basic needs.

JEANETTE COPPERMAN

And what support is available to asylum seekers and refugees who come to the UK?

KATY EAGLE

Support for asylum seekers and refugees and vulnerable migrants can be quite limited. They very often have a condition called “no recourse to public funds” attached to their status and that means that they’re not able to apply for any benefits or to apply for any social housing, so, most of the time, it means that people are reliant on charities, friends and family support networks, voluntary organisations, churches and mosques that will help them. Asylum seekers that have got a claim with the Home Office that they are considering and are eligible, are often able to apply for very limited accommodation through the Home Office and a very small amount of money but the criteria for it are very very tight.

JEANETTE COPPERMAN

This is quite a complex area of law, how does the law impact on the work you do? And what legislation would you say is key?

KATY EAGLE

So there’s a number of bits of legislation that are relevant to what we do and we have be mindful of particularly the Immigration and Asylum Act that defines who is an asylum seeker and who is approaching getting legal status to be in the UK. We also have to consider the Children Act and the Care Act which defines the support available for children and families and to adults. And we also consider things like the Mental Health Act which defines who is eligible for mental health after care and support and also more specialist bits of legislation like the Modern Slavery Act that looks at who has been exploited in the UK or who has arrived in circumstances that amount to trafficking or slavery.

JEANETTE COPPERMAN

What issues do you think social workers need to be particularly aware of when it comes to the law on asylum and immigration?

KATY EAGLE

So I would say that social workers need to have a broad understanding of immigration and asylum law and some of the issues around that, and also an understanding of what “no recourse to public funds” means and what it does mean that somebody can’t have access to and actually what it doesn’t affect, what somebody can have support. We also find that most people we work with that are going through the asylum and immigration process are very fearful, they’re very afraid of how they are perceived in the UK and the consequences for them of watching over their shoulder, feeling that they’re being monitored by the Home Office all the time and being understanding of that is really really important for us.

JEANETTE COPPERMAN

You mentioned people being fearful and sometimes having perhaps to wait a long time for decisions on their status, what do you think is important in terms of social work support during that period?

KATY EAGLE

So people can wait a very long time for decisions and even if they’re waiting what the Home Office might consider a short time, for somebody waiting for what can be the biggest decision of their life, it can feel like forever. We offer a lot of emotional support to people in that time, a lot of what we do is talking to people and helping them find ways to manage their fears and their anxieties. Sometimes we do refer people to talking therapies because the fear does become such a big factor in their life.

JEANETTE COPPERMAN

Is the law different when it comes to adults and to caring for children?

KATY EAGLE

So the Children’s Act, in particular, says that the needs of the child have got to be paramount and so in cases where a family are seeking immigration status or are seeking asylum and they have children that could otherwise face sleeping on the streets or becoming destitute, the family can be provided for through section 17 of the Children Act as a child in need. But unfortunately there isn’t an equivalent piece of legislation for adults unless they’re human rights were being breached in some way. But it’s more difficult to get that for adults than for children.

JEANETTE COPPERMAN

What kind of advice can a social worker give when it comes to immigration and what do you think a social worker cannot give as well?

KATY EAGLE

Immigration advice in the UK is actually quite tightly regulated by an organisation called the Offices of the Immigration Services Commissioner which is usually just callee OISC registration. And so to give anyone, social workers or solicitors or anyone, to give immigration advice has to be registered with that body. So we can’t give people advice on if we think they should apply for asylum, what we think they should include in their claim, but what social workers can give advice on is: knowing the communities, so where can people go for help around housing, food parcels, medical support, where can people go to meet their own needs rather than advice around the specifics of their actual immigration case.

JEANETTE COPPERMAN

And what kind of services for immigration advice and for other services do you refer people to?

KATY EAGLE

We work quite closely with some solicitors in Luton who are able to offer kind of short appointments for advice and they will usually do that free of charge. We also work with a huge variety of other voluntary services in Luton, that work specifically with refugees and asylum seekers and also that support people with other issues that we refer to. We work quite closely with food-bank in Luton, with mental health support charities and with organisations such as the British Red Cross that provide support directly to refugees and asylum seekers.

JEANETTE COPPERMAN

Do you believe there’s a hostile environment for immigrants to this country?

KATY EAGLE

I hear a lot from the immigrants that I work with that they do feel that the environment in the UK, particularly for people going through the asylum and immigration process, can be hostile. They face NHS charges, they face not being able to have a driving licence which, driving aside, can create problems around ID and showing who you are. Earlier in the year there was notice that banks would have to start checking immigration status. You can no longer rent a property or a room in the UK if you don’t have the legal right to do so and landlords are now checking. And people tell us that that all adds up to feeling like quite a hostile environment. I also hear a lot from the people I work with about the impact of the media and some of the headlines they see that they feel are then labelled about people coming to the UK for benefits, for housing, to take people’s jobs, which has a huge impact on the way that they feel they are perceived by communities in the UK.

JEANETTE COPPERMAN

In your role have you come across modern day slavery and trafficking and what can you, as a social worker, do?

KATY EAGLE

So in my role here we have come across modern slavery. A lot of people that we work with, the nature of their immigration status and the insecurity of that means that they are quite vulnerable to being exploited, either after they’ve arrived in the UK or they’ve actually been exploited on their way and they’ve been trafficked into the UK to begin with. As a voluntary agency our biggest role is to be aware of the signs, to look out for what’s going on and to get to know people so that they can trust us enough to tell us what is going on. We often seek advice through a national helpline for modern slavery and we’ve also reported to the police where we’ve had concerns. So, for example, I know within the voluntary services that we work alongside in Luton, people have come across situations of domestic servitude where people have been treating somebody within their home in conditions that would amount to modern slavery. We also hear of people who’ve been sexually exploited and either bought to the UK seemingly for that purpose or have become vulnerable and exploited in that way once they’ve arrived here. We also hear from other organisations that we work alongside in Luton that lots of people arrive at Luton airport on the pretence that they’ve been promised jobs, that they’ve been promised accommodation, that they’ve been promised support when they get here and that doesn’t materialise. People end up in some really desperate situations in Luton because things don’t work out in the UK as either they thought they were promised or they thought things would be.

JEANETTE COPPERMAN

Can you give us some examples of the kind of cases that you come across?

KATY EAGLE

So we work with a lot of people who’ve maybe been waiting for their asylum claim to be decided for quite some time and that’s having an impact on their mental health, how well they’re managing to cope. We see people as well who’ve maybe overstayed a visa maybe because their own circumstances have changed while they’ve been in the UK, or circumstances have changed back in their home country while they’ve been in the UK. We see people who maybe their physical health has deteriorated and so where they were able to look after themselves, that’s now changed. We see people who find themselves pregnant and might have been able to look after themselves but with a baby on the way and then the task of looking after a baby are no longer able to manage.

JEANETTE COPPERMAN

As a social worker, what would you say are the dos and don’ts in this area?

KATY EAGLE

In terms of dos: Be compassionate, be considerate of the needs that people have, the difficulties that they will have been through. They’ll be separated from their family who may be in their home country, who they might be very concerned about. They may well have seen civil war on their way. Be compassionate and remember what people could have been through. Also, know your own area, your own community really well. Who is out there? What legal services are there? What solicitors in the area offer advice? What charities are there? What do your local churches offer? Who is willing to help in your area? And also be prepared to advocate for people’s rights, that if people are being told “you have no recourse to public funds, you can’t have this”, is that true or is that an assumption on the part of the service provider?

In terms of don’ts: Don’t give legal advice that you’re not qualified or able to do so! It’s very easy to do with the best of intentions to say to somebody “oh why don’t you try this”, but actually if you’re not registered to do so, don’t fall into that trap. Don’t make judgements about why somebody has found themselves destitute in a country far from home. And don’t label people. We see referrals all the time where somebody has written ‘somebody’s an illegal immigrant’ and that’s not a legal term, it’s not particularly helpful and labelling somebody as illegal is really hurtful for that person.

JEANETTE COPPERMAN

What would be your 5 top tips for social workers and social work students working with asylum seekers, migrants and refugees?

KATY EAGLE

So, in no particular order, the top 5 tips:

Know what’s in your area, know who’s around, know what charities there are and work with voluntary organisations that are able to help people in often some quite creative ways

Number 2: have a broad understanding of asylum and immigration issues and kind of the issues in the news from around the world that will bring people to the UK. We’ve seen people who’ve arrived from Syria, from previous conflicts in Afghanistan and having a basic understanding of the background of some of those issues can be really important.

Know where people can get legal advice is really important. Immigration law and policy changes really quickly, so knowing where people can go for up to date, reputable advice is really really important.

Number 4: consider the impact of trauma and loss and separation on people. Lots of people will move to the UK for jobs, lots of people move round the world and get on really well, but lots of people, particularly seeking asylum or looking to be refugees will have seen horrendous situations in their home country, will have lost their family. Maybe if they’re seeking asylum on the grounds of their sexuality, their family will have quite deliberately cut contact or will have been the risk factor that’s made them flee.

And finally know the terminology. Know what words are used, know the right kind of terms to use in relation to refugees and asylum seekers to avoid labelling people and also so that information is accurately passed onto other agencies.

[Back to - Audio 3 Katy Eagle](%22%20%5Cl%20%22Session7_MediaContent1)

# Audio 4 Katy outlines the story of Ronald and Florence and their two children

## Transcript

Katy Eagle

Florence and Ronald came to the UK about 12 years ago. They both arrived here on student visas, however, circumstances in their home country and in their own lives have changed, and Ronald was diagnosed with a long term health condition. Florence and Ronald sought asylum in the UK and UK authorities initially rejected this claim, and Florence and Ronald have challenged it.

Florence and Ronald now have two children, aged 9 and 3, who are doing well at school and in after school groups and clubs, and they’re healthy. Peter, aged 9, and his sister Grace, aged 3, have never been outside of the UK. Grace enjoys going to the local children’s centre with her parents, and they find this a really valuable source of support.

Florence is experiencing some symptoms of anxiety and depression, and she feels this is linked to the uncertainty of the family’s immigration status. Since their asylum claim was rejected, they have appealed, and have now requested a judicial review of the decision making process. They’re now applying for leave to remain outside of regular immigration rules.

The family have no recourse to public funds, and so providing for the children and Florence and Ronald’s basic needs can be really difficult.

[Back to - Audio 4 Katy outlines the story of Ronald and Florence and their two children](%22%20%5Cl%20%22Session7_MediaContent2)

# Audio 5 Katy reflecting on her practice

## Transcript

Katy Eagle

So there’s a few ways that social workers might be involved with a family in this situation or a similar situation. The family in this case study, Florence and Ronald, are a family that I’ve worked with in my role as a social worker in a voluntary agency and we’ve supported them in a few different ways. But it’s also possible that, for example, Ronald might have an adult social care social worker involved to do with his health condition. It’s possible for mental health social workers to be involved if, maybe, Florence’s anxiety and depression were of a level that would be needed. It’s also possible that the children would have somebody from children’s services involved. In relation to how I’ve supported the family through a voluntary service, we have supported them in food bank referrals, clothing vouchers and that sort of thing. We’re also a safe space for the family to come and sit and spend some time because they don’t live in accommodation that has space for the children to play in a safe space for example. We’ve also done some direct work with the children to help them understand their situation a bit better and also to understand the children’s experiences.

Jeanette Copperman

You mentioned although the family have no recourse to public funds, there might be some support available because of Florence’s mental health needs. Could you say a little bit more about that?

Katy Eagle

So if Florence was experiencing mental health needs of level that needed some kind of treatment or intervention, she could go to her GP. Having no recourse to public funds wouldn’t affect her entitlement to do that. However, it can make access to secondary medical care a bit more difficult. However, if her mental health was of a level that needed support by a community mental health team, for example, it wouldn’t exclude it but they may be more limited in what they would be able to offer her.

Jeanette Copperman

How would you support the family? What would your priorities be?

Katy Eagle

So as a voluntary organisation we aim to support the family holistically and look at their needs kind of across the board and for the adults and the children and the children whereas other agencies might take a bit more of a specific view of whose needs come first.

We would consider that, have the family sort legal advice, have they got a reputable solicitor that they are happy with and that is doing everything that can be done legally, because ultimately resolving their asylum or their immigration case is going to be how they’re going to move forward with their lives. So we would check that they’ve got legal advice, we’d also make sure that they’ve got food, clothing for the children, are the children being supported by the schools, are they getting free school meals, things like that that they can do. We would also look into community resources that the family are able to access. Libraries are often quite useful, particularly for resources for Grace, who’s 3, children’s books, they have story sessions, rhyme sessions for parents that can be really useful and they’re usually either free or quite cheap. And we’d look at what’s around. We’d also consider their other needs. Florence and Ronald are separated from their family in their home country and the situation in that country means that they’re quite concerned about their safety, their family’s safety in their home country so we might do what we can to see if we can get them computer access to try and contact them to stay in touch, but also to think about the impact on Florence and Ronald of not having their mum and dad about. The children haven’t got grandma and grandad to call upon in the same way as lots of their friends at school have, so we’d be a safe space for them to talk about the impact of that on them.

From a legal perspective we’d also consider whether Section 17 of the Children’s Act is relevant and do Peter and Grace really need the support of the local authority to prevent them becoming destitute or homeless. It can sometimes be difficult because in the past we’ve sometimes seen local authorities willing to accommodate children but take that very literally as accommodating the children and not the family together somewhere, which would mean separating them from their parents. And really if there’s no other safeguarding concerns, we’d consider whether that would be in their best interests. But it can be that the children will be accommodated and the parents can therefore live in the house, the room, with them.

[Back to - Audio 5 Katy reflecting on her practice](%22%20%5Cl%20%22Session7_MediaContent3)

# Audio 6 Ronald and Florence’s story continues

## Transcript

Katy Eagle:

So the family are living in accommodation that is provided by local authority children’s services to prevent the children becoming destitute or homeless but this only covers the most basics. The children describe that they sometimes feel left out of after school activities, going out with their friends, having new clothes and toys that they see their friends with. And Florence and Ronald are frustrated that they can’t work - they worked in their home country and are frustrated they can’t do this now. And even places they’ve approached to volunteer are not sure that they can volunteer on the type of documents that they have and so turn them away as they don’t want to take the risk. They find that they’re also turned away from IT or English courses that they want to do.

Peter is doing really well at school, and is described by his teachers as bright and kind. But he’s aware of the differences he sees between his and other parents, and he is worried about the future. He does not speak the language of the country that is described on documents as his home country, the school system is very different and he is worried he’ll miss his friends.

[Back to - Audio 6 Ronald and Florence’s story continues](%22%20%5Cl%20%22Session7_MediaContent4)

# Audio 7 Katy reflects on her practice

## Transcript

Katy Eagle

So to support the family as before we continued to make sure that they are able to have a balanced diet, to have enough food, to manage Ronald’s health condition, to make sure that the children are still receiving the support that they need through the school and the children’s centres and a whole host of voluntary organisations and charities within Luton and also to carry on making sure that they’re working with their solicitor and also to work with the solicitor in some ways to make sure that the solicitor’s got the evidence that she needs to put their case together.

In terms of the impact on each member of the family, so, starting with Ronald, his health is deteriorating and so he’s finding things progressively more difficult in the UK and to manage his own physical and mental health. So he’s needing a lot more support from his GP and other more specialist charities. Florence finds this difficult. She’s seeing her husband struggling with his health, the impact of that on her, the impact of seeing her children struggling is taking its toll on her and so we’re looking into places that she can have some support as her role as a carer. We’re also looking at some support for them as a couple because it’s taking a toll on their relationship as well. Peter is doing well at school, but he’s worried about the future. So, for him, we’ve been looking at life story work with him and some skills that social workers can use to help him come to terms with his experiences a bit and also to understand his dad’s health condition which he’s also quite worried about. Grace, who’s 3, she enjoys going to the library, she enjoys going to the children’s centre, but she’s starting to notice that maybe things are a little bit different for her family than others. And the focus for her is making sure that she develops into a healthy, happy child in the same way that another 3 year old would.

Jeanette Copperman

You mentioned helping to put evidence together to support the case with the solicitor. Can you give some examples of the kind of evidence that you’re talking about?

Katy Eagle

So with a family in a situation like Florence and Ronald, we have worked to produce a child and family assessment of the children’s needs and we’ve undertaken that because they’re not subject to local authority care plans or anything like that. So we’ve done the child and family assessment to look at their needs and what’s in their best interests and to understand what their lives are like here. We’re also asked into court to appear as witnesses to explain the child and family assessment in a bit more detail and to look at what is in the family’s best interests.

[Back to - Audio 7 Katy reflects on her practice](%22%20%5Cl%20%22Session7_MediaContent5)

# Audio 8 Ronald and Florence’s story continues

## Transcript

Katy Eagle

So, Florence and Ronald have been working with a solicitor on their application for leave to remain. The application focuses on the length of time that the family have been in the UK, and Peter and Grace knowing no other life than the life they’ve had here in the UK and also the impact it would have on them if they were to moved to another country.

Peter’s school, charities and also their church have provided evidence in support of this, and have appeared as witnesses at their tribunal hearing.

The family were advised that they would have a 2 week wait for an outcome, however 6 weeks later they are still waiting, and have been advised that because there is a backlog of cases, they are continuing to wait.

[Back to - Audio 8 Ronald and Florence’s story continues](%22%20%5Cl%20%22Session7_MediaContent6)

# Audio 9 Katy reflects on her practice

## Transcript

Katy Eagle

So the period of waiting can be really difficult because they were hoping they'd be at the end of the immigration and asylum process. They were hoping by now they'd have a decision and be able to move on with their lives.

To continue to support the family, we're still looking at what resources are available. Where are they living, how are they managing still, and we're still advocating for the family to have access to the services that they need.

We continue to work with the children directly, and this will increase over the school holidays when they're not in school as they would have been before.

Jeanette Copperman

How do they get enough to eat over the school holidays?

Katy Eagle

It can be really difficult for them, in all honesty. Food bank referrals, the small amount of money they receive through Section 17 will go some way towards it. But we also look at what different charities in Luton do. So we're fortunate there are a few charities around run by religious groups that do an evening meal a couple of times a week. We run a lunch club once a week. So we'll be looking at all sorts of creative ways for the family over the summer.

[Back to - Audio 9 Katy reflects on her practice](%22%20%5Cl%20%22Session7_MediaContent7)

# Audio 10 Katy outlines the story of Abdul

## Transcript

Katy Eagle

Abdul has fled his home country and arrived in the UK seeking asylum. He is a gay man in his early twenties, and his family in his home country and the extended family in the UK do not accept his sexuality. Abdul feels that he cannot return to his home country as his life there would be in danger, from his own family and also from groups within society who enforce laws against same sex relationships.

His asylum claim was rejected, as the Home Office dispute that he would be in danger if her were to return to his home country and they also dispute the evidence he provided that he is gay. His application is further complicated because he was found working in the UK without the legal status to do so.

Abdul is now homeless and is showing signs of being physically unwell.

[Back to - Audio 10 Katy outlines the story of Abdul](%22%20%5Cl%20%22Session7_MediaContent8)

# Audio 11 Katy reflects on her practice

## Transcript

Katy Eagle

For Abdul we would be considering how anybody can resolve him being homeless and also, with his physical health, how he can receive the health care that he needs. We’d also look at him seeking some legal advice. Has he got a solicitor that can help him appeal the decision that was made to decline his asylum claim, has he got a solicitor that can give him some advice around the sort of evidence he needs to be providing for his claim. And also, does he qualify for the support that can be provided by the home office in terms of very basic accommodation and support to go with that to stop him being homeless.

For Abdul, a solicitor and people working with him might also consider his human rights. Is he in a situation where his human rights are at risk of being breached should his situation not change? And so, his solicitor and people working with him might look at what sort of assessment of that needs to be done and what sort of evidence he needs to be providing.

[Back to - Audio 11 Katy reflects on her practice](%22%20%5Cl%20%22Session7_MediaContent9)

# Audio 12 Katy continues the story of Abdul

## Transcript

Katy Eagle

Abdul needed to seek medical attention through Accident and Emergency for his health, and needed to be kept in hospital for a few nights for treatment, but he is recovering well now. He is concerned that he’s going to be billed for the treatment though and he’s got no way at the moment of paying such a bill. He’s heard rumours as well that the NHS share data with the Home Office to track failed asylum seekers and people who have overstayed visas. And when he’s stressed, he struggles to understand English and he can’t remember what he was told in hospital.

Abdul has chosen to apply for accommodation through the Home Office and he’s also appealing his decision with a solicitor. He’s been allocated a shared room in a block of housing, but it’s 5 hours away from where he had been living. He needs to stay in contact with his solicitor locally to gather the evidence he needs for his appeal, and also to demonstrate the risk to him should he return to his home country and to demonstrate that he is gay. Abdul is finding this particularly difficult because he’s not told many people about his sexuality and he’s now faced with speaking about the details of this in court in front of strangers.

[Back to - Audio 12 Katy continues the story of Abdul](%22%20%5Cl%20%22Session7_MediaContent10)

# Audio 13 Katy reflects on her practice

## Transcript

Katy Eagle

The impact of this on Abdul is huge. He had been beginning to find his feet in the local area and moving away, he’s now separated from all of that, he’s very isolated. He also feels a lot of stigma being labelled as an asylum seeker in a new area. The accommodation he’s living in is not great and it’s known in the local area as where the asylum seekers live and he sometimes gets some comments made around that. He’s also really struggling being so far away from his solicitor and he’s not been able to find a new solicitor in his new area who’s willing to take it on. And all of this is having an impact on his physical health and also on his mental health which is then causing him further difficulties with his physical health. He’s struggling.

[Back to - Audio 13 Katy reflects on her practice](%22%20%5Cl%20%22Session7_MediaContent11)

# Audio 14 Katy completes the story of Abdul

## Transcript

Katy Eagle

Abdul has been granted asylum to remain in the UK as a refugee, however, he’s now got to find his own accommodation, he’s got to apply for a National Insurance number, he’s got to apply for his benefits. And he’s still isolated, he’s still separated from his family, he still feels the impact of not being able to ever go back to his home country and everything he knows there. He’s got limited connections in his new town still and he’s still very wary of the local community and also that his religious community will accept him.

[Back to - Audio 14 Katy completes the story of Abdul](%22%20%5Cl%20%22Session7_MediaContent12)

# Audio 15 Katy reflects on her practice

## Transcript

Katy Eagle

Now Abdul is refugee, he’s got the same support available to him as another UK national would do. He can apply for social housing, he can apply for benefits and he no longer has the no recourse to public funds restriction applied to him. The risk to him though is that he’s now got to do all of this, he’s now got to fill out all these forms in his second language, he’s got to know all the numbers to put in, he’s got to go out and find himself somewhere to live because he’s unlikely to be highest priority on a local authority housing list. And he’ll also need to leave the accommodation that he’s in through asylum support quite quickly, so the biggest risk to him is that he could become homeless again at the point that he’s got to leave. It’ll take him a while to get his benefits through, it’ll take a while to get his national insurance number and he’s got no other income in that time. But once that comes through he can apply for benefits and he can start looking for a job as well.

[Back to - Audio 15 Katy reflects on her practice](%22%20%5Cl%20%22Session7_MediaContent13)

# Video 2 Child trafficking

## Transcript

[MUSIC PLAYING]

BHARTI PATEL

Child trafficking is closer to us than we would like to think. Millions of children, men, and women are bought and sold across the world and exploited in unimaginable forms. We are talking about sexual abuse.

We're talking about children abused in domestic servitude, as well as in forced criminal and forced labor.

COMFORT

When I got to London, I was taken to mama's house. I had to do all the domestic work. I cooked and cleaned the house. Then things got really bad.

Men would come and pick me up from the house to take me to other places to rape and abuse me.

[TEXT ON SCREEN: Each year, 700 children are trafficked into the UK and exploited. But that’s just the tip of the iceberg... At least 13,000 men, women and children are thought to be living in condition of slavery here.]

Finally, a friend of mama's said that she knew what was happening. She told me to escape. One night, I managed.

BHARTI PATEL

Many trafficked children are still not believed by authorities when they tell them of the experiences of their trafficking and exploitation.

DEBBIE BEADLE

They're often pushed about from pillar to post and don't know where they are, so very unsettled. It can leave them quite frustrated and quite demoralised, and actually very vulnerable.

I think it's really important for when young people have been through such a trauma that they're met with a genuine respect and understanding.

Actually, we're raising more awareness, and there's going to be more--

And we hope that through our training, we can help front-line services understand that.

HUNG

Coming over from France was the worst. It was hot and I could not breathe. I was taken to a house where cannabis was growing. We were made to work very long hours.

When I asked where was my money, they threatened to kill me. Then the police raided. The interview was very complicated. They didn't believe I was 16. I was sentenced to 18 months detention.

BHARTI PATEL

At ECPAT UK, we monitor cases of child abuse and child trafficking, and we advocate UK governments to introduce strong anti-trafficking measures to protect every child victim of trafficking, to prosecute their abusers, and to prevent children from being trafficked in the first place.

At ECPAT UK, we believe every child has a right to childhood and to live a life with dignity.

COMFORT

Well, when I got to ECPAT, that is another life entirely for me. I met different girls from different backgrounds. And they went through what I went through, and they overcame it. So they always encouraged me because we meet every week saying we used to be in your situation, but now we are fine.

[Back to - Video 2 Child trafficking](%22%20%5Cl%20%22Session8_MediaContent1)

# Audio 16

## Transcript

Meena Patel

Southall Black Sisters was set up in 1979 and it was set up by a group of Asian/Afro Caribbean women in the heart of an anti racist movement. And at that time everyone defined themselves as being black and hence why the name Southall Black Sisters. The “black” is a political terminology that is being used and so lots of groups emerged around the same time calling themselves Camden Black Sisters, Birmingham Black Sisters and so forth. Over the time, a lot of these groups have closed but we still remain and we still like to keep our name because it has a history. So we felt it was important to set up a service for black and ethnic minority women specifically. And to ensure that they were getting the same advice and support and safety when they were being subjected to violence and abuse. And it came about because 2 women - one woman committed suicide after years of abuse and another woman was killed by her husband because she didn’t give her husband a son - she had 4 daughters - he burnt them in their home and they died as a result. And the community kept very quiet about this. So we felt there was a gap here and we need to address these issues and ensure that they got the same help as everyone else in the country.

We have a national reach and the bulk of our work is assisting BME women and children to assert their fundamental rights and freedom in the face of gender based violence and marginalisation and inequality. We have nearly 39 years of experience in providing front line service consisting of advice, advocacy, counselling, support service, as well as undertaking policy, strategic litigation, training, community development work, campaigning on issues highlighted by our core front line advice and advocacy work and we also have a helpline that has a national reach. Some of our work now has extended to international work that we do for some women that are abandoned abroad in their countries by their violent partners and can’t get back. So we’ve been working at changing aspects of the law and over the years we’ve changed quite a bit around immigration law, forced marriage, around some aspects of legal aid and family law and also contributed to the government’s domestic violence bill recently and things about looking and primarily now looking at how immigration law has an impact on women who’ve been subjected to violence and abuse.

Jeanette Copperman

Could you say just a little bit more about the specific changes or one specific change that you’ve helped to bring about in the law?

Meena Patel

One of the specific changes we’ve brought about in the law is around the spousal visas. So, for many years we’ve worked with women who’ve been subjected to violence and abuse, where they were…husbands went across to their country, married them, then brought them back and they were subjected to the “no recourse to public funds” rule. So actually they had a very stark choice in terms of remaining in the situation or facing deportation, there’s no other options for them - they cannot access refuges, they could not get benefits. So over the years we’ve campaigned and changed and in 1992 when we gave evidence to Home Affairs Select Committee around violence against women and Asian women, we highlighted the issues around spousal visas and Mike O’Brien, the then minister called us back, said he was quite moved by our evidence and he wanted to do something for this category of women and so we got into discussions and negotiations. I mean ideally we would have liked the “no recourse to public funds” to be abolished completely but he didn’t do that, but what he wanted to do was - if those women could prove domestic violence then they could apply for Indefinite Leave to Remain. But that, in itself, was problematic because the kind of evidence he was asking was too high and unless you could get ‘place of safety’ you wouldn’t be able to get the evidence that he wanted. So we monitored it for 2 years and then we went back to him and said “it’s not working” because whilst you’re getting injunctions or reporting it to the police a woman’s got to be safe, she can’t do it whilst she’s living with the perpetrator. So over the years, what we’ve managed to do is to get that all overturned, so those women now, on spousal visas, subjected to violence and abuse, can change that visa for a 3 month limited one, and within that they can claim benefits and housing, and so they’re able to go into safe accommodation and then apply for Indefinite Leave To Remain on the basis that they’re subjected to violence and abuse, as long as they have the evidence to show they are victims of domestic violence. So, for us that was a massive victory, because it’s very hard to change immigration law.

Jeanette Copperman

Could you say a little bit about working with statutory services and with social workers in particular?

Meena Patel

Erm, I think one of the problems that we see with statutory services and it’s not just about Social Services, I’m talking about the Police and that - in the way in which they dealt with minority women. And often it was about ‘go back to your community, go back to religious leaders and community leaders and resolve your problems’. So over the years we managed to change that. And particularly when we won the Kiranjit Ahluwalia case - a woman who killed her violent husband - in 1992 we managed to get her out of prison because she was convicted for murder and basically we managed to release her from that because one of the things that the courts didn’t look at is, as an Asian woman, in the courts they didn’t address domestic violence and minority issues and the interlink between culture, honour, shame and all of that. I feel sometimes there are good responses from Social Services and the Police - some officers do brilliant work - but then there’s also very bad responses. And still it’s a very judgmental kind of service which often deals with women when they arrive in a judgmental way - that they’re only looking for housing or they’re trying to stay in the country - rather than saying ‘ok, we believe you and we’re going to see what’s happening to you. Let’s see how we can best help you.’ And I can understand with the cuts and the austerity measures and therefore that they don’t have this never ending pot of money to help women, but there are ways in which you can work to improve somebody’s life.

Jeanette Copperman

Why was it important to set up an organisation specifically for women?

Meena Patel

It was important for us to set up a women only centre, and we’re a secular centre, and it was to do with the fact that when we look at, in a wider context, more women are subjected to violence and abuse than men are. We believe you’ve got to work in a holistic model, we provide counselling to women and we have support groups with other activities for women and children throughout the year as well. In the support group it’s a mixture of women who have the right to remain and the women who don’t have the right to remain….and it’s interesting how all women support each other. We have average of 15 women in the support group and our support groups aren’t run in a specific way like confidence building only or self esteem six weeks, it’s open ended. So a woman can come to the centre and access the support group, even if we’ve finished with her advice and advocacy work, she can continue to access the support group as long as she needs it. And it’s through that mechanism that they make friendship, they make the alternative community that they have a sense of belonging to. And it’s amazing because the women always look forward to coming because they say that this is their family. Nobody judges them, nobody questions them and it’s part of our family and we can live here how we want to live here. Which is amazing to see that transformation from, when we see them really upset and distressed, fearful of every aspect of their case, the law, statutory services, and yet when they get into the support group, within weeks - completely transform. And it’s nice to see how a lot of the women will share clothing or food with those women who have an immigration issue, who are completely destitute as well.

Jeanette Copperman

So can you tell us a little bit about what kinds of asylum and immigration cases you work with?

Meena Patel

We deal with all, so it’s not one specific, we deal with most of it. However, I must say that because we became the expert on the spousal visas, a lot of agencies as well as individuals come to us because we have that full understanding of how spousal visas work, what you’ve got to do, how you apply for that so we get a lot of women’s organisations also come to us for advice around how to help their client. We also run this pilot project which is funded to us through the tampon tax, to look at women with other categories who have no access to refuges or benefits. And so they want to work with us to see how we could possibly help those women. So we’re using that as a tool to further campaign and make further reforms for other categories of women to get the same rights as those with spousal visas. So at the moment we get a lot of women - it’s a London and outside of London fund - for agencies to access our fund to help their clients. And it’s through that process as well that we’re advising as well how, other ways you can help your client if she’s got no access to benefits or anything, how do you then assist her further. So, we are seeing more and more of those women who are on dependent visas, student dependent visas, undocumented migrants, refugees, Article 8 applications where you’re making an application under the Human Rights Act because you’ve been here very long or the children 7 Year Rule - so your child has been born and brought up here for 7 years or more and your application still hasn’t been considered, you can switch to the 7 Year Rule - so there’s lots of kind of categories to immigration law and we deal with a whole spectrum and advise. I’m also an OIC - Office of Immigration Service Commissioner - Level 2 immigration adviser, so that allows me to give advice as well as do some representational work for women - it’s really important that agencies are accredited to that at Level 1 in order to do some immigration work.

Jeanette Copperman

Meena you mentioned various different parts of the law that you’re working with, could you perhaps give us an example of a case or just an example of how you work with those bits of the law?

Meena Patel

I suppose there’s several aspects of the law that we use and primarily we use the Children’s Act Section 17 for women with children, ensuring that Social Services fulfil their duty to assist women with children. And that’s problematic all the time anyway and I’ve seen that across the country where lots of women are being told that if you approach them they will remove the children but not help the mother; or they try and find family members who will take the children in and that can be as far as going back to their country and seeing if family members in their country where they’ve come from will take those children in. We also know that Social Services are now beginning to place the children with perpetrators so that endangers children’s life even further, knowing that they’ve been subjected to or witnessed violence or abuse. So that’s a worrying trend at the moment and that’s because they don’t want to fulfil their duty because they constantly talk about restriction in money. And so those are kind of the trends that are going on within the Children’s Act that we see.

 So then the other ones are that we have to use all the time, is around the Local Government Act, the Mental Health Act - for single women, and the Human Rights Act. Now those all talk about if there’s a mental health issue that’s so severe or the local government saying that they’re so destitute that they’re vulnerable - then within those Acts, they have to support. But it’s really hard to prove for women. And in the Human Rights Act we’re talking about inhumane, degrading treatment of people. So within that we talk about that they have the right to access that act and apply that, but it’s very very difficult to get local authority to enact on those and I don’ think that we’ve won on any one of those for a single woman, it’s very difficult. Even with the vulnerable adults the threshold is very high, so even those without an immigration issue those people are unable to access ‘Vulnerable Adults’ and get the support they require, so we have the same problem where somebody doesn’t have the right to remain or it’s still being decided. At the moment, the way in which it works, that every person arriving at Social Services are seen as asylum seekers and then they’re put down the wrong route. So it’s really important that Social Services give out no advice on immigration because you’ve got to remember that the advice that you give has to be accurate - you can send a woman down the wrong route of immigration advice which then has consequence later on if that application is refused. And going down the asylum route is not always the answer. And there are places that they can approach, like organisations like ours, who could give them immigration advice, Law Centres who would give independent immigration advice. And one’s got to be very careful because lately what’s been going on is, from my understanding, is that the Home Office are beginning to sit in Social Services department to provide that advice and my worry has been now that those women will never approach statutory services and therefore either remain in that violent and abusive relationship or end up being exploited by other people who befriend them, take them in so they’re sexually exploited or economically exploited. And we see that exploitation a lot with Theresa May’s new immigration law and how we’ve all become Big Brothers and how we’ve all become informers as a society and I worry about that as well because now landlords are not able to take people in without getting the clearance from the Home Office to rent out a room, so they have to get clearance from the Home Office to do that and that’s a back door to the Home Office to raid and deport, because they’ve got to meet their stats. And we saw that with the Windrush. And then the banks - they can’t open up accounts now because the banks have to ring the Home Office and get clearance there as well. So I think this is a back door of tracking down undocumented migrants, those who don’t have the right here and then to raid and deport and I think they’re using these mechanisms to do that. They’re also beginning to incorporate religious institutions like the church, like the gudwaras, like the temples and under the guise of providing immigration advice, but actually what they’re doing is they’re identifying who isn’t allowed to remain in the country and then using that information to raid again and deport. So I have to worry about the way in which the Home Office are using public, religious institutions and so forth to pick up and detain and deport vulnerable people in our society. And so I worry about women now no longer being able to approach statutory bodies when they’re at risk of harm because of their role now in informing the Home Office. So that deters a huge group of women in accessing a service and I think that’s eroding rights for women to live here safely and what are they doing with the Domestic Violence Bill then if you’re not incorporating those women within that?

Jeanette Copperman

What would good social work look like and how would you like to see social workers working with organisations like yours?

Meena Patel

I would say a good social worker is non-judgemental - that’s first and foremost. And allowing the woman to speak - and I’m talking about this in the context of domestic violence - and not to be judged, not to make those threats of removal of children, to ensure that there’s a level of trust between them and their client, to listen to them and then to work out a plan of action to help somebody rather than turn them away and say “well you’ve got no right in this country so we don’t help you”. Rather than do that, I think a good social worker is picking up the phone asking for advice around how they can best help someone and to then work very jointly with organisations like ours to give a holistic support to those women so that, not only are they getting some needs met through Social Services like, for example, housing and subsistence, but also the other support like counselling maybe, or like the support groups they can access and build their lives. So for us, working jointly like that and where there’s an immigration issue, then working jointly with us to ensure that she gets the right advice and she’s making the right applications rather than seeing her a burden on the state. And I think that that’s a good social worker…understanding women’s vulnerability, understanding the community they’re coming from, the language barriers they might have - because many of minority women have a language barrier - to ensure there’s interpreters (good interpreters at that, because sometimes within communities you get very bad interpreters who are also telling women to return back to their perpetrators because it’s not part of our culture to leave our husbands or his family) - so ensuring that right interpreters are being used at all times and in an organisation like ours, with South Asian languages, we have that! So they could utilise that for us to then work together very well with a client and rebuild her life, and her children’s life and get out of that cycle of abuse and I think that’s really, really important. And that’s a good social worker, working jointly with us in improving lives.

Jeanette Copperman

Could you give us an example of when you’ve worked with social workers?

Meena Patel

We work quite closely with social workers at the MARAC which is a multi agency forum dealing with high risk cases. So there are agencies, IDVAs like ours there, and also Social Services, the Health, Mental Health, all the agencies come together to discuss high risk cases and that’s where I think we work very well jointly. But what we’ve got to remember is that risks change all the time and we’ve got to look at and ensuring that those with low risk to medium risk are not ignored because they’re at that risk. Because risks change all the time and actually the most vulnerable ones are those ones at low risk and so we’ve got to be able to protect everyone and ensure that our risk assessments are done in a way that we are ensuring that they’re safe, whatever decisions those women make. But it’s been quite good in the way that we work locally with MARAC, it’s a joint thing, and they do call on us with our expertise, particularly around minority women, around honour based violence, forced marriage and so forth, so I contribute a lot at that to the table.

Also, one of the other things, and I don’t want us to ignore it, is with, in light of Brexit, and in the way that we’ve become a hostile communities, that we’re also seeing Eastern European or European women who are entrapped as well in violent and abusive relationships who then cannot get assistance through the state because they’re not entitled to benefits or housing as well. So, at the moment, in the same way as those others with other categories of immigration issues, they’re also not being supported or helped. And in the way that we all now are beginning to face racism - racism isn’t just white on black - you’ve got to remember racism is also internal within communities so although we’ve got a very established Asian community in the country but they’re also being quite racist towards Eastern Europeans coming into the country and the same arguments that were used when we first arrived: that they’re taking our houses, they’re taking our education, our jobs, all of that - those communities are arguing the same thing that these people from the outside are taking our jobs, our homes…but they forget where their roots come from. And so we’ve got to remember that racism isn’t just white on black.

[Back to - Audio 16](%22%20%5Cl%20%22Session9_MediaContent1)

# Audio 17 Syeda Akbar introduces herself and the issues that led to her seeking asylum

## Transcript

SYEDA AKBAR

So, my name is Syeda Akbar and I’m mother of two children. I came to UK in July 2013, facing persecution back home. A fatwa was issued. That’s a religious ruling against me. I was accused for something I never did, and I had a threat that my boys would be taken away because of the Islamic laws, so I came to UK on a visit visa for six months. My sister, she was studying here. She was doing her degree from here, and I got an invitation from her, so the plan of the family was that I’ll just stay away for some time from all this, whatever was happening.

[Back to - Audio 17 Syeda Akbar introduces herself and the issues that led to her seeking asylum](%22%20%5Cl%20%22Session9_MediaContent2)

# Audio 18 Syeda Akbar talks about what she did when her visa ran out

## Transcript

SYEDA AKBAR

When I stayed here for six months, my grandmother, she was back home and she suggested that it’s still not safe to come back, and I had nowhere to go. I did make some random telephone calls to random solicitors and, all of them, they simply refused and just said they could not help me out, and a couple of them did say but the amount that they demanded was a lot of money, which I could not afford. So, I was blank. I did not know what to do, did not know what the solution was. I was really, really anxious, and worried about the circumstances because the landlord gave me the notice. I could not stay there because I did not have any immigration status and I was worried that I had two children.

[Back to - Audio 18 Syeda Akbar talks about what she did when her visa ran out](%22%20%5Cl%20%22Session9_MediaContent3)

# Audio 19 Syeda Akbar talks about her first contact with SBS – the voluntary organisation for women

## Transcript

SYEDA AKBAR

It was amazing to see the way they helped me out, and I did ask a couple of times to my advocate that ‘how much are you going to charge me?’ and she just assured me… she said ‘we won’t charge anything, like, just relax, we are just here to help you.’ And I just bursted into tears and I was like ‘I’ve just got two small boys, and it’s me, and this is what has happened. We all will be killed and I don’t know what to do, and please trust me! I’m telling you the truth, honestly I’m telling you the truth’ and she just had an eye-to-eye contact with me and she said ‘listen, Syeda, I know you’re telling the truth but you have to prove that. Have you got an evidence for that?’ and I was like ‘yes, I have got the evidence but I don’t know what to do.’ So, immediately, like, they contacted immigration solicitors, booked an appointment for an asylum case with the Home Office because they were concerned that my visa is going to run out within a couple of days. We did manage to get that appointment, did go to the solicitor with one of the advocates of Southall Black Sisters. So gave my witness statement, she assured me that ‘yes, we’ll go on with the case’ and then the case was in the process, and it was quite uncertain at that time but still a hope. And then, after six months of immigration process, we were just simply chucked out by the landlord. He wasn’t really very kind. First of all, I did not have any money to give him because of all the funds that I brought with me from Pakistan, they exhausted, and secondly, he was more concerned that we were illegal although we were not because our case was pending with the Home Office but somehow he thought like that

[Back to - Audio 19 Syeda Akbar talks about her first contact with SBS – the voluntary organisation for women](%22%20%5Cl%20%22Session9_MediaContent4)

# Audio 20 Syeda Akbar talks about turning up at social services to ask for support after being evicted

## Transcript

SYEDA AKBAR

I had my bags in my hand and I said ‘this is the story, this is what happened’. So, the lady who came out got all the details and she said ‘I’m not really very sure if I can help you but let me just speak to my manager if we can see how can we sort you out’. She took the details of the children, their school, and said that ‘have you got any friends? Have you got anywhere to go, any relatives?’ and I said ‘no.’ At that time, my sister was gone back to Pakistan, so she wasn’t here, so it was that kind of destitute situation and, sadly, it didn’t work out really very well because we sat there for hours and hours and hours ‘til the officers closed down in just a few minutes before the offices closed down, she came out and she said she has had a word with her managers or seniors, and ‘sorry, we can’t help you or your children out because you haven’t got any immigration status. You are still in the asylum process, so you’re not our responsibility’ and so I was blank at that point, and I was like ‘then, what do you want me to do?’ and she said ‘I’m sorry, I can’t do anything’ and I said ‘well, you have to tell me to do something because I honestly haven’t got any space to go, and what about my children, like we haven’t got any money to buy food, to do anything, and I was really… I burst into tears, and I was like ‘then, please tell me who’s going to help me?’

[Back to - Audio 20 Syeda Akbar talks about turning up at social services to ask for support after being evicted](%22%20%5Cl%20%22Session9_MediaContent5)

# Audio 21 Syeda Akbar talks about the way she and her children were treated by the local authority while their case was pending

## Transcript

SYEDA AKBAR

I honestly did not know that I was entitled for anything. I just went there as a help. My advocate, she suggested me that it’s their responsibility to help you, so somehow that thing was in my mind that ‘well, this is the department of the government, which has to help me because I’ve got children.’ But it didn’t happen, didn’t work out like that. They weren’t concerned about the children. They didn’t say, like, if you wanted anything or if children wanted anything, or ‘we are sorry we can’t help you but we can just contact any of the agencies, which can help you.’ It didn’t work out.

Well, I wanted a compassion towards people without any discrimination or without any judgement. I did get that essence that I was kind of discriminated of not having a secure immigration status, and I understand that the person who was dealing my case or their managers, they did not understand that I had my immigration case pending with the Home Office. Even if you’re an overstayer, you’re still a human being. And what about the children, like, why didn’t they put them in consideration?

[Back to - Audio 21 Syeda Akbar talks about the way she and her children were treated by the local authority while their case was pending](%22%20%5Cl%20%22Session9_MediaContent6)

# Audio 22 Syeda Akbar talks about her NASS (now Home Office asylum support) accommodation and being dispersed to Coventry

## Transcript

SYEDA AKBAR

Southall Black Sisters really very generously provided us accommodation, then it took them the whole day to search out the process and filled out my NASS accommodation application forms, took advice from the solicitor. I think it was the same day, when we were accommodated to Thornton Heath, which was a temporary accommodation. It’s a hostel where Home Office gives temporary accommodation with the support of NASS, National Asylum Seekers Support, while we wait for our accommodation where will we go. And after three months, me and children, we were dispersed to Coventry in September 2014. If you apply for National Asylum Seekers Support, they can accommodate you anywhere so it’s not Coventry, they could just place you anywhere wherever they have accommodation.

When we went to Coventry, and then we weren’t in the town centre also, so we were in the outskirts of Coventry, so really isolated, lonely area. So, it wasn’t a good experience. Three of us we really struggled to integrate and to rebuild our lives. Boys were alright after some time because they did get their schools sorted out and everything. It was me, I was really locked up in the house, and that really deteriorated my mental health services because I was having my counselling and I was engaged with the support groups meeting people and I didn’t know anybody, so it was just like a strange place

[Back to - Audio 22 Syeda Akbar talks about her NASS (now Home Office asylum support) accommodation and being dispersed to Coventry](%22%20%5Cl%20%22Session9_MediaContent7)

# Audio 23 Syeda Akbar talks about her and her children getting leave to remain as refugees and leaving the NASS (now Home Office asylum support) system

## Transcript

SYEDA AKBAR

It was really, really difficult but, yes, now by God’s grace, it’s sorted out. Last year, we got, me and the boys, we got our recognised leave to remain as refugees, and after that, six months after getting leave to remain, that was again a very hard process because, then, the NASS accommodation immediately after 28 days takes your housing away. They stopped the money – what they were giving, and everything is stopped, and then you have to go through the system again, and that transition period is so scary because there’s no support, there’s no financial support.

So, there was a joy and there was trauma. So, joy was at least no-one’s throwing us away and we were alive and we weren’t going to get killed. Our boys will not be taken away from me, and I won’t get lashes or all that thing at my back, whatever the fatwa stated, so that was a joyful thing, and it was traumatic again because, again, that NASS accommodation was at least a shelter for three and a half years, and then again you did not know, and you had to prove everything again. The saddest thing was that I had the letters from Home Office. I had the letters they had been given leave to remain. I had a termination of contract letter from NASS board, and I showed it to council but you, again, have to prove everything to them. It’s a very traumatising process. I just don’t understand how the system works. I just don’t understand if this is the law or this is the attitude of the people. I just don’t understand.

[Back to - Audio 23 Syeda Akbar talks about her and her children getting leave to remain as refugees and leaving the NASS (now Home Office asylum support) system](%22%20%5Cl%20%22Session9_MediaContent8)

# Audio 24 Syeda Akbar talks about how she and her children have settled since being granted leave to remain

## Transcript

SYEDA AKBAR

Honestly, telling you the truth, I am quite settled now. Things have been really, very unsettled and uncertain in the past. So I’m quite settled in my mind, I can’t say, like, financially or anything like that, I’m still on that process. But struggling to get the job because I had five years of no experience. Kids are happy. They are studying well. They have kind of been integrated into the system. I’m not saying that they’ll forget the past. Both of them had to go through counselling sessions at different stages of their time, and I did understand stress. I collapsed as an adult, so they were children, so they had to go through all this process, both of them, and they did have support from schools but when both children went through the counselling process, whatever trauma all of us as a family unit face.

[Back to - Audio 24 Syeda Akbar talks about how she and her children have settled since being granted leave to remain](%22%20%5Cl%20%22Session9_MediaContent9)

# Figure 1 Scotland welcomes refugees

## Description

Photograph of a demonstration with the Scottish flag and a placard which reads ‘Refugees Welcome Here’.

[Back to - Figure 1 Scotland welcomes refugees](%22%20%5Cl%20%22Figure1)

# Figure 2 (1) An advertisement from 1902 for an anti-immigration demonstration. (2) A demonstration in the East End of London against the Alien Act 1905.

## Description

(1) A poster from 1902 for an anti-immigration demonstration. (2) A black and white photo of a demonstration.

[Back to - Figure 2 (1) An advertisement from 1902 for an anti-immigration demonstration. (2) A demonstration in the East End of London against the Alien Act 1905.](#Session1_Figure1)

# Figure 3 Housing estate

## Description

Block of flats on a housing estate – laundry is hanging over the balconies of some of the flats.

[Back to - Figure 3 Housing estate](%22%20%5Cl%20%22Session3_Figure1)

# Uncaptioned Figure

## Description

[Back to - Uncaptioned Figure](%22%20%5Cl%20%22Session4_Figure1)

# Figure 4 A social worker with a service user

## Description

Social worker with a pen and paper sitting at a table and talking to a young man who is looking down.

[Back to - Figure 4 A social worker with a service user](%22%20%5Cl%20%22Session7_Figure1)

# Figure 5 Yarls Wood immigration detention centre

## Description

A photograph of three double storey buildings with searchlights outside.

[Back to - Figure 5 Yarls Wood immigration detention centre](%22%20%5Cl%20%22Session8_Figure1)

# Uncaptioned Figure

## Description

[Back to - Uncaptioned Figure](%22%20%5Cl%20%22Session8_Figure2)

# Figure 6 Southall Black Sisters

## Description

Group of women with arms raised punching the air. A sign is held which reads ‘Cohesion + cuts = Inequality + Injustice’.

[Back to - Figure 6 Southall Black Sisters](%22%20%5Cl%20%22Session9_Figure1)