

**‘Even among asylum seekers
we are the lowest’**
Life on Section 4 Support
in Glasgow

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Considerable thanks also go to the interviewees that took part in the research. Their willingness to speak openly and frankly, telling their stories but also presenting policy solutions in many cases have not only given a much needed human dimension to the report, but also created thought provoking questions for the researcher.

Scottish Refugee Council is an independent charity dedicated to providing advice, information and assistance to asylum seekers and refugees living in Scotland. We also provide specialist services in areas such as housing and welfare, women's issues, community development, the media and the arts. We play a leading role in policy development and campaign on refugee issues to ensure that Scotland plays a full role in meeting the UK's legal and humanitarian obligations under the 1951 United Nations Convention on Refugees.

People seeking asylum in the United Kingdom are generally supported under Section 95 of the 1999 Immigration and Asylum Act. In 1999 asylum support was separated from the general social security system and was paid at levels below income support levels. Initially this separate system was provided in the form of vouchers and accompanied by the no-choice dispersal of asylum seekers to various parts of the United Kingdom.

While vouchers have been abolished as a general form of asylum support, they continue to be used for many clients on Section 4 support. Since 2002 asylum seekers have also been prevented from accessing the labour market after the withdrawal of the 'employment concession'. As a result of compulsory dispersal, many asylum seekers have been moved to Glasgow. Indeed Glasgow has taken more asylum seekers than any other single Local Authority in the United Kingdom. This has meant that approximately 10,000 asylum seekers, many of whom have subsequently been granted refugee status, have arrived in the city since then.

Section 4 is a form of accommodation and subsistence support given to refused asylum seekers who can show that they are destitute and is, or was initially, meant as a short term mechanism for people about to leave the country. The support was established by the 1999 Immigration and Asylum Act but did not begin to be widely used until some years later when it was given statutory authority in the 2004 Asylum and Immigration (Treatment of Claimants) Act. As of June 2009, some 9,354 people in the UK had been on Section 4 support for six months or more (Hansard July 15th 2009 Col 394W).

Minister of State for Borders and Immigration Phil Woolas stated in March 2009 that "Where an individual, through no fault of their own, cannot be removed we will provide support

to prevent destitution. This form of support is called section 4 support and is intended as a limited and temporary form of support" (Hansard March 19th 2009 Col 70ws). The basic nature of Section 4 was supposed to be due to it providing just temporary support, but it was also linked to removals. During the passing of the 2006 UK Borders Act, Baroness Ashton of Upholland also linked it to the (never empirically shown) notion of benefits acting as a 'pull factor'.

She stated that "Section 4 provides a limited form of support for those about to leave the United Kingdom. While meeting essential needs, the support should not act as an incentive for people to remain in the UK once they have exhausted their appeal rights" (Hansard Feb 7th 2006 Col 582). Thus Section

4 is notionally based on an 'end of case' principle.

The Home Office define applicability for Section 4 thus:

You must be destitute *and* satisfy one of the following requirements (my emphasis):

- You are taking all reasonable steps to leave the United Kingdom or placing yourself in a position where you can do so;
- You are unable to leave the United Kingdom because of a physical barrier to travel or for some other medical reason;
- You are unable to leave the United Kingdom because the UK Border Agency believes there is no safe route available;
- You have either applied for a judicial review of your asylum application in Scotland or applied for a judicial review of your asylum application in England, Wales or Northern Ireland and been given permission to proceed with it; or
- Accommodation is necessary to prevent a breach of your rights, within the meaning of the Human Rights Act 1998.

(<http://www.ukba.homeoffice.gov.uk/asylum/support/apply/Section4/>)

Support in Glasgow is provided in the form of no choice accommodation, often shared with other Section 4 claimants, and vouchers that can be used only at one specified shop. Section 4 clients are also entitled to primary and secondary health care in Scotland.

Scottish Refugee Council has been advising clients regarding claims for Section 4 since 2004. This means that caseworkers advise on their eligibility for Section 4, aid the filling in of Section 4 application forms and attempt to intervene when it is felt that decisions are taking too long, or the wrong decisions have been

made. This can also involve assisting applicants in appealing refusals of their Section 4 claims to the Asylum Support Tribunal. While it is likely that there are people on Section 4 support who have not applied with the help of Scottish Refugee Council, the vast majority are believed to have done so.

The Asylum Support Partnership, a multi-agency partnership that advocates and researches issues that relate to support provision for asylum seekers have argued that research is necessary in order to highlight the extent, causes and ramifications of destitution (Still Human, Still Here Briefing 2009). The existence of research will enable evidenced advocacy regarding support provision. This report adds to that research base.

This report also arises as a result of Scottish Refugee Council caseworkers own experiences in supporting Section 4 clients. Despite the claim that Section 4 support is a temporary measure, and despite the UK Government initially tying it to the return to the clients country of origin, there was increasing anecdotal evidence among Scottish Refugee Council caseworkers that some clients were spending a considerable length of time on this form of support, and the impact on their health and broader social lives was raising concern. There was also concern that the original purpose of the support had become secondary, not only was it not linked to returns but it was being used as a long term and draconian alternative form of support. Another key aspect of this concern was both the circularity of individuals being on Section 4 numerous times, and the linked problem of how people manage to survive during periods when they have no support. These issues will be the prime focus of this report, particularly the parts based primarily on qualitative interviews with clients. In addition, the lack of statistics relating to Section 4 clients in Scotland up until now is partly

rectified throughout this report, although there are significant limitations in terms of the data available and its completeness. Nevertheless, demographic information is provided wherever possible and its limitations are highlighted.

From November this year the form of Section 4 support will be changed from vouchers to a new debit card called the Azure card. Unfortunately the timescale did not allow the ramifications of this change to be included in this report. However, the lack of access to cash and the problems associated with it will remain.

This report combines both qualitative and quantitative research methods. The quantitative data emanates from an Excel database established by Scottish Refugee Council caseworkers in order to keep track of developments with clients applying for Section 4 support. Its purpose evolved and the data captured at different points in time reflected the needs of caseworkers to perform their casework, and not to provide statistical analysis.

Therefore, for the purposes of analysis there were significant data gaps, particularly for the earlier periods in which caseworkers were advising Section 4 clients. The database was transferred into SPSS, duplicates were removed and gaps in data filled wherever possible. However, significant data gaps remained. This means that many of the findings cannot be defined as being statistically significant in relation to full statistical analysis. Nevertheless, the results are suggestive and indicate certain trends in Section 4 provision.

The data included refers only to cases where the validity of the data was certain. Cases that contained some data but which lacked verifiable data in certain fields were only included in analysis where the information was complete. This means that the final results are less numerically significant but more methodologically robust, although it may be surmised that results could be extrapolated across the whole sample.

On analysing this quantitative data some of the trends that emerged were felt to require qualitative investigation. Therefore caseworkers identified a cross section of clients with a variety of experiences among Section 4 clients for interview. In total 11 interviews were conducted involving 7 men and 4 women. There were 2 families and one lone parent included in the interview process. Most interviewees spoke English and were from countries that

figure prominently among Section 4 clients. 10 interviewees were on Section 4 at the time of interview, while one had leave to remain. A further interviewee has subsequently been given leave to remain. Interviews were conducted in September and October 2009.

At the beginning of the interviews, and in the signing of an informed consent form, interviewees were assured of anonymity and that nothing they said would impact upon the support they received at Scottish Refugee Council. It was further emphasised that they could choose to remove themselves from the research process and still obtain the same help and support. All interviewees were offered a £20 shop voucher of their choice or phone card as a thank you for participating in the research. Interviews were semi-structured, allowing some commonality across the sample but also providing space for interviewees to raise the

issues most prescient to them. This allowed certain issues to develop more organically through the interview process, particularly in relation to living without cash and problems with accommodation.

The cases used for interview are not exhaustive of Section 4 experiences and the relatively small numbers mean that they too are indicative rather than representative of Section 4 clients. Nevertheless there are commonalities across a large proportion of clients and the cases are taken as broadly reflecting those shared experiences.

The research undertaken here is not intended to fully examine broader issues of destitution among asylum seekers. There have been a number of reports that have adequately documented the ramifications of destitution, some of which are mentioned below.

Nevertheless, while Section 4 is meant as a means of alleviating destitution there are commonalities in experiences between those covered in previous work on destitution and those on Section 4 support. The brief review of existing work pertaining to destitution and Section 4 support below highlights the common experiences of poverty across these two groups. What this work seeks to add is both the issues of longevity on Section 4, with some analysis of the resulting experiences, but also the administrative issues that accompany this process. The reasons for being on Section 4; the time both on Section 4 support and the time with no support; the process of going off and on Section 4, sometimes multiple times; and the 'end' of the process principle are all examined.

Much has been written about destitution and Section 4 support in recent years, primarily by many of the agencies involved in trying to mitigate the impacts of the poverty their clients find themselves in. This short review of existing literature is therefore not meant as an exhaustive list of the state of the field. The reports mentioned below are either geographically relevant to the research reported here, or they address issues that this report either directly or tangentially touches upon. In addition the focus is primarily on relatively new pieces of research.

Although this is not meant to imply that older research is no longer of relevance, it is felt that newer research more clearly captures the changing dynamics of destitution and Section 4 support.

The Refugee Survival Trust's 'What's going on' report (*RST 2005*) was primarily concerned with the causes of destitution in Scotland. In some ways this research looked at clients in Scotland prior to the Section 4 process due to the fact that Section 4 clients are required to be destitute in order to qualify for Section 4 support, although that would imply a smooth and linear process between destitution and Section 4 which is not evident. Those applying for Section 4 are required to show proof of destitution and thus the process is in a sense inverted. There is a requirement of destitution for support rather than a safety net in order to prevent destitution. The bureaucratic nature of the Section 4 application process is evident in this research. It found that most cases of destitution resulted from administrative delay, with 52% of cases due to administrative error.

Refugee Council research, 'More Token Gestures' (*Doyle 2008*), argues that Section 4 is "inhumane, ineffective and results in unnecessary suffering" (*Doyle 2008 4*). This

research highlights that Section 4 is supposed to be for refused asylum seekers, based on an 'end of case' principle, a notion belied by the continuation of cases subsequent to Section 4 being taken up (*Doyle 2008 17*). One major issue of no choice accommodation provision is that of the accommodation on offer leading to the breakup of forms of social support, especially important where children are concerned (*Doyle 2008 16*).

'More Token Gestures' highlights numerous problems in terms of the amount and availability of food as well as raising issues of travel costs. This report also found that 75% of service providers said that their clients struggled to maintain contact with legal advisors (*Doyle 2008 16*), meaning that both asylum seekers with substantive claims may be falling through the cracks, and any arrangements regarding returns may also be circumvented. In that regard, 82% of service providers also stated that their clients could not keep in touch with people in their country of origin (*Doyle 2008*

17). Furthermore, people on Section 4 on the basis of being 'too sick to travel' are then denied the financial support that would allow improvements in their health, opening the possibility of extensive periods of time being both sick and reliant on Section 4 support.

Research conducted by the Asylum Support Appeals Project in June 2008 examined, among other things, the tight criteria employed by UKBA in discerning when someone is able to 'leave the UK' (Hickey 2008 6). The temporary nature of Section 4 is highlighted. Indeed this research points to a letter from the Home Office to the National Asylum Stakeholders Forum in 2006 that stated that "Section 4 support must be recognized (sic) as the short-term measure it was designed to be" (Hickey 2008 6). The ability of people to 'take all reasonable steps' to leave the UK is encumbered by a lack of documents, partly an unintended result of the strengthening of the UK borders, and an unwillingness by an individual's country of origin to allow them re-entry.

Citizens Advice Bureau (CAB) research in 2006 found a 15-fold increase in the numbers of people on Section 4 support between 2003 and 2006 (Dunstan 2006 1). Although this should not be surprising due to the 2004 Asylum and Immigration (Treatment of Claimants) Act giving what was a discretionary form of support a statutory footing, the increases are noteworthy nevertheless. This research highlights 5000 people in the UK on Section 4 in 2006 (Dunstan 2006 9). The CAB research points out that the original support was intended as "a short-term and discretionary support system for a very small number of 'hard' cases", but that it had become "a large-scale and largely long-term regime with a statutory basis" (Dunstan 2006 1). However, its aim of facilitating returns was seen as unsuccessful, a finding replicated in the research below. This work also found that the average length of time on Section 4 was nine

months, longer than the Governments 'short-term' provision would perhaps have envisaged (Dunstan 2006 9).

A major piece of research conducted jointly by Refugee Action and Amnesty International found that destitution inhibited the ability of people to try to make arrangements to return, even if they were prepared to do so. "All, even those who would be prepared to go, find that destitution makes it impossible to plan for the future, contact services, sort out documentation or trust the system that has failed them" (Refugee Action 2006 12). The research further highlights that there was little link between destitution and returns, that most clients preferred 'destitution to persecution'. This research also highlights the deterioration in the health of those who are on Section 4 or destitute due to their enforced inactivity which was "eroding their sense of self and their will to survive" (Refugee Action 2006 13).

The 'Second Destitution Tally' (Smart 2009), a cross organisational and multi-location study, found that many destitute asylum seekers do not apply for Section 4 support. The suggestion is that many people are prepared to undergo long periods of destitution rather than opt to return. A third of all clients in this research had been destitute for over two years rather than sign up to anything that commits to returning to their country of origin. "The survey results suggest that Section 4 support is not providing a safety net to prevent destitution among refused asylum seekers" (Smart 2009 9). Nor, evidently, was it acting as an incentive to return.

The 'Second Destitution Tally' also confirms existing evidence of the concentration of cases within certain nationalities. Half of all cases of destitution in this study were from just four countries, each with well documented abuses of human rights. These were Iraq, Iran, Eritrea and Zimbabwe (Smart 2009 19).

Not surprisingly there is a relationship between ill health and destitution. 14% of destitute asylum seekers in this research identified themselves as having mental health problems (*Smart 2009 29*).

The numbers of people on Section 4 support have increased substantially. In July 2009, 9,354 Section 4 recipients had been on this form of support for over six months (*Hansard July 15th 2009 Col 393W*). Indeed in a written parliamentary answer 5,106 people were identified as having been on Section 4 for over two years. Details of those on Section 4 for longer than this were not available. It is worth adding that these figures appear to represent continuous periods on Section 4, and so would not include those who have support removed and then later reinstated, whose cumulative period on Section 4 totals three or four years.

Interestingly past Scottish Refugee Council research looking at destitution, 'They Think We Are Nothing' (*Green 2006*), found some similarities in relation to demographics to the Section 4 work being done here. Most destitute clients were from Iraq, Iran and Somalia, 68% were male and the largest age demographic was among those in their 20s, accounting for some 36% of all destitute clients. In terms of the circularity of destitution this research also found that some 25% of destitute cases had become so while waiting for a Section 4 decision (*Green 2006*).

Green also points out that there are knock on relational impacts of destitution. Many destitute asylum seekers rely on the support of other asylum seekers, who themselves are still being supported for help to merely get by (*Green 2006 40*). This not only has an impact on their 'disposable' income but could also have deleterious effects on their ability to pursue their claim.

RST research earlier this year (21 Days Later)

suggests that there have been administrative improvements in Scotland since UKBA began processing support applications, including Section 4, from its Glasgow office. However, the broader principles are less affected. There were three broad links between destitution and Section 4. Destitute people who had not applied for Section 4 had three broad reasons for that decision, not having the requisite information, the length of time it takes to get Section 4 support, and interestingly for this research, also the fear of implications, primarily return.

As mentioned above, although Section 4 support has existed since the implementation of the 1999 Act, it was only from 2004 that its use became significant in terms of numbers.

This process is reflected in Figure 1 which shows the number of Section 4 cases dealt with at Scottish Refugee Council in each year since then. Although the massive majority of these cases received Section 4 at some point, a small number applied once or more but were not successful in their applications.

Application numbers are in Figure 1. It should be highlighted that the 2009 figure only refers to the number of cases up until April as this was the point at which the database was transferred from Excel into SPSS. The incremental increase in the number of people on Section 4 support from 2004 is evident. There are 1207 individuals included in the above figures, with just 13 cases in the database not having a year attached to their database file.

The main note of interest in this data is the slight drop-off in cases in 2006, following the first full year of Section 4 being operable in Scotland and thus at Scottish Refugee Council. The figures after that point are remarkably similar, with 2007 seeing 300 new cases and 2008 having 310 new cases. Figures provided by UKBA Scotland on request suggest that there were 1089 Section 4 clients in Glasgow in the summer of 2009, a figure that would broadly reflect the developments above, assuming that many people spend reasonably long periods of time on Section 4 support.

Country of origin information is in Figure 2. The data refers to 1172 cases where this information was provided. There were over 30 countries represented in the database but in order to make the graph more user friendly only the top

17 are identified, with the rest subsumed within the 'other' category.

There were few overall surprises in relation to this data as they are broadly reflective of both the expectations of caseworkers at Scottish Refugee Council, and the national breakdown of asylum seekers in Glasgow. In addition, the nationalities reflect many of the main countries that Still Human, Still Here advocate for (see for example the 'Second Destitution Tally'). The policy-based reasons for many of the spikes in country of origin are discussed in detail in research by the RST and the British Red Cross (see Hamilton and Harris 2009), and so they are not discussed here. Nevertheless, there are a couple of 'trends' pertaining to nationality that are worth highlighting. The relatively small number of Afghans came as something of a surprise given their larger presence in general asylum statistics. However, on further interrogation of the database the numbers of Afghans on Section 4 has seen a steady increase each year, from just 3 in 2005 to 11 in 2008, some 34% of all applications from Afghans. The Chinese sample identified 2008 as a year of major departure from existing trends. Some 55% of all Chinese applicants applied in 2008. Conversely, there were large

Figure 1: Year of application

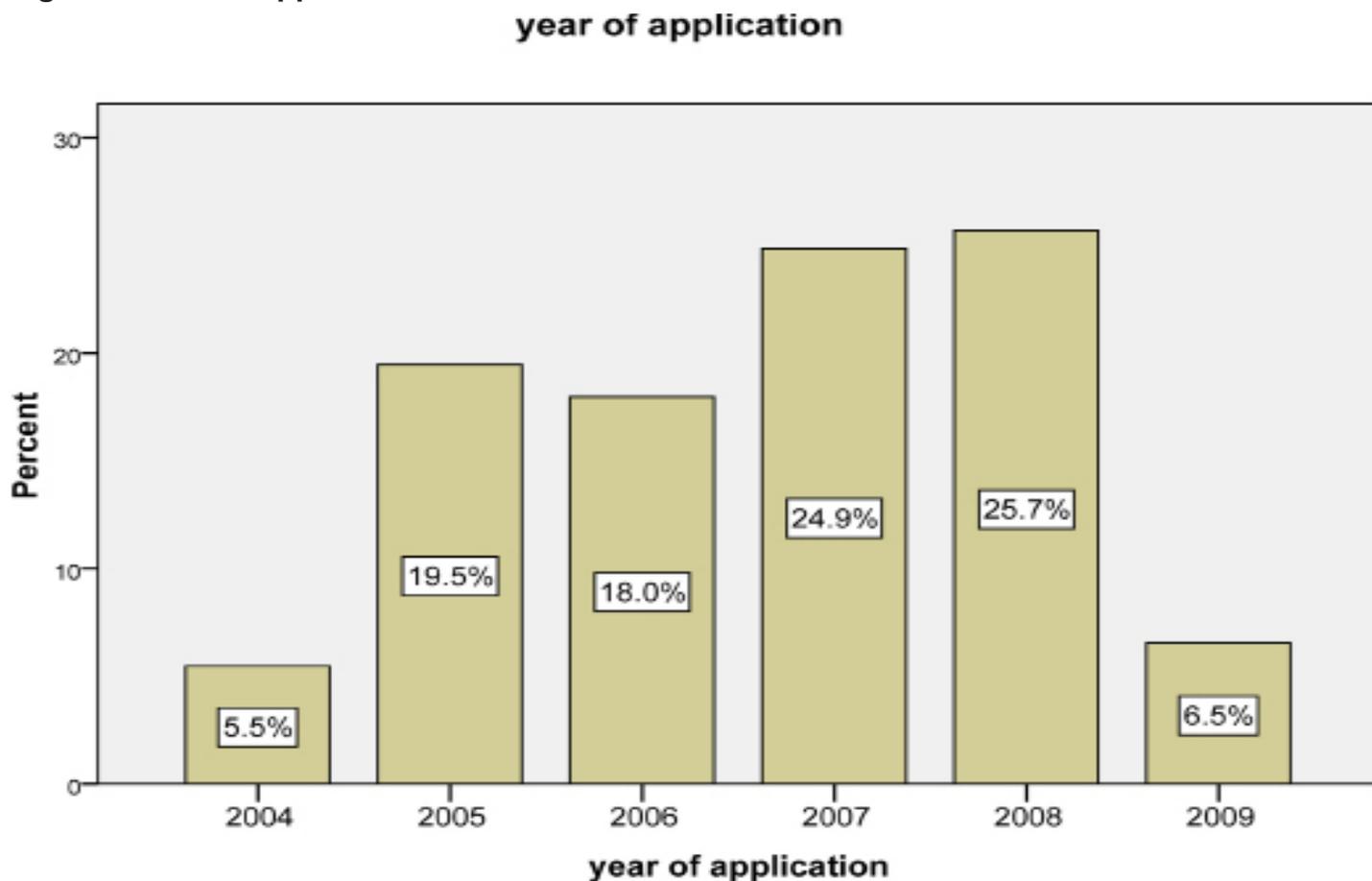


Figure 2: Country of origin

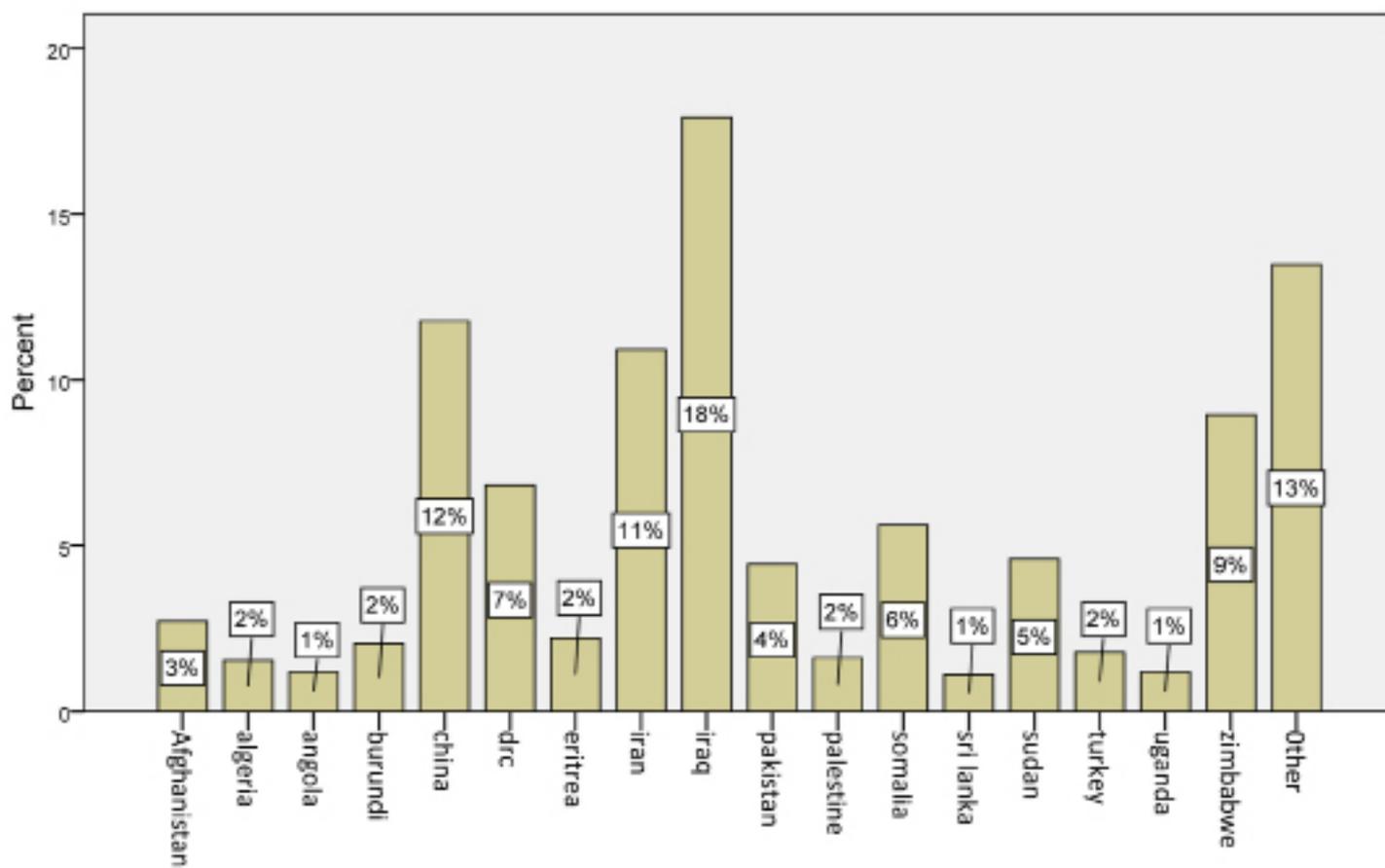
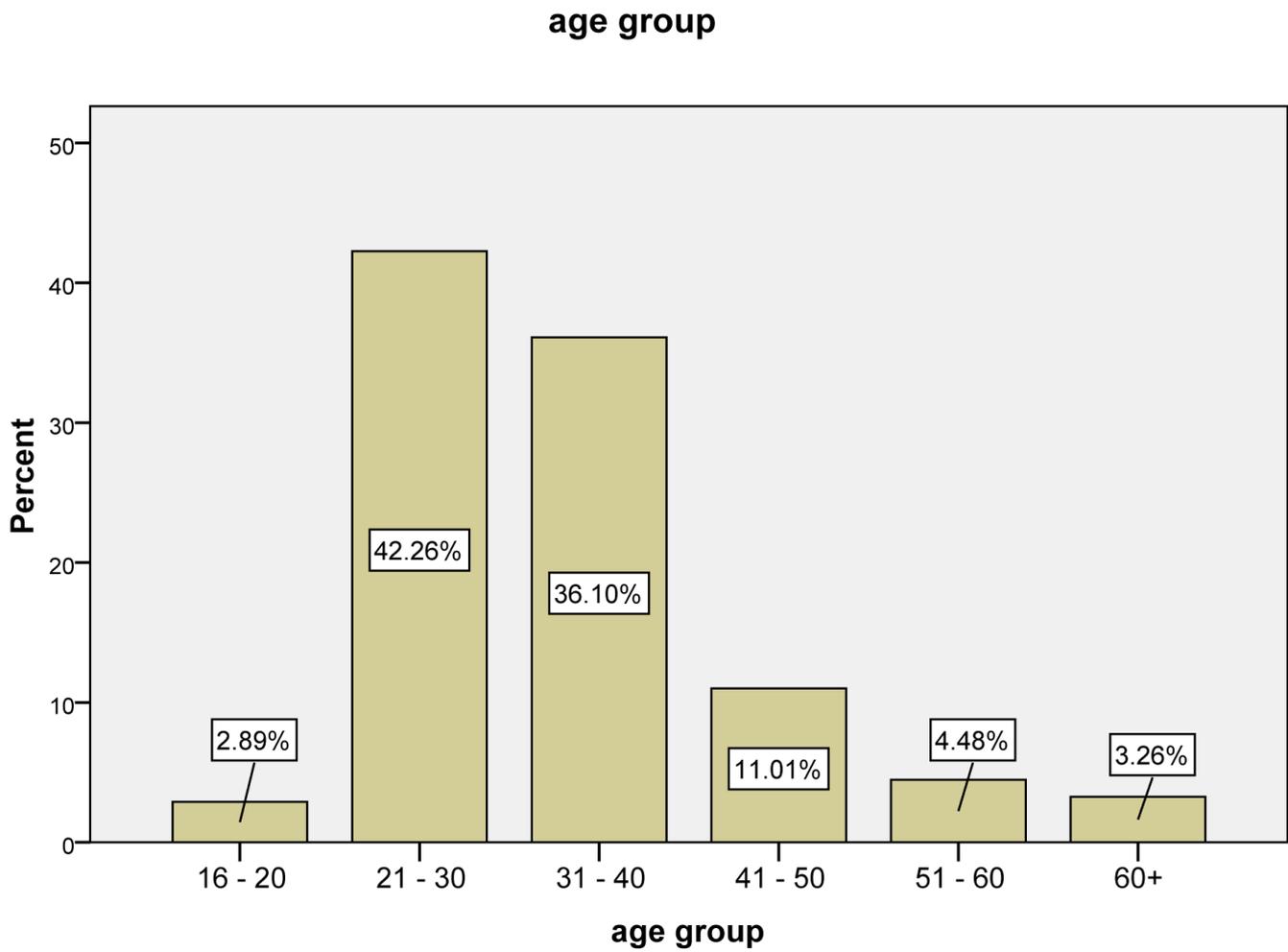


Figure 3: Age group



drops in the number of Iranians and Iraqis applying for Section 4 support between 2007 and 2008, down by 10% for Iranians and 15% for Iraqis. There are questions regarding the existence of re-admission agreements with many of the main countries of origin of Section 4 clients and so the issue of returns becomes immediately problematic. There are, for example, acknowledged problems in returning people to China.

The balance in relation to age was as had been expected with a large majority of Section 4 clients being relatively young. Of 1072 cases in Figure 3, some 453 were between the ages of 21 and 30, and a further 387 were aged 31-40. Despite this balance it is interesting to note that 31 individuals for whom we had data were under the age of 20 and on Section 4 support, along with 35 people over the age of 60.

There was more missing data in the gender category but some 1104 cases were still able to be analysed accordingly. The split is almost two men for each woman on Section 4 support, which broadly reflects the overall gender balance of asylum claims.

Figure 4 - Gender

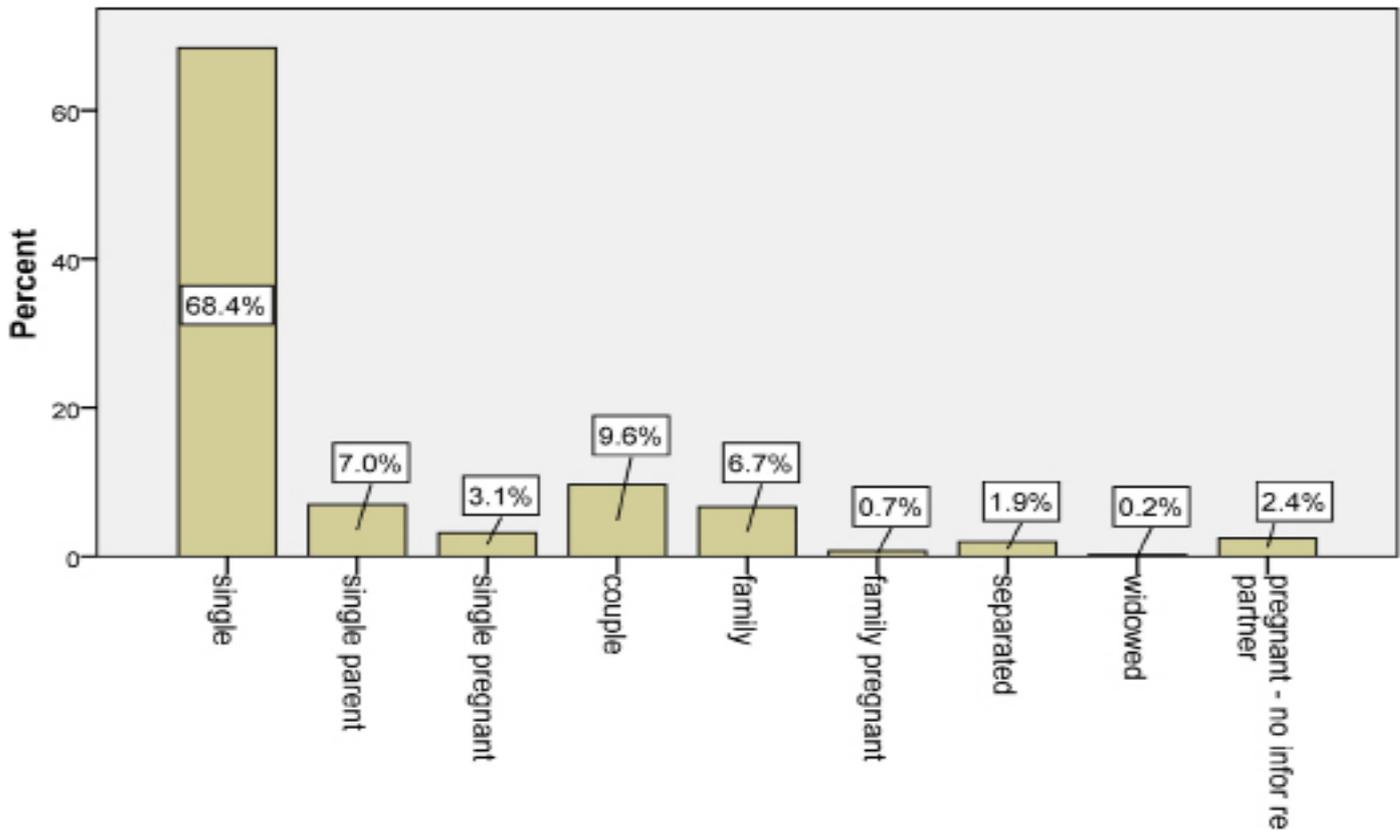
	Count	Percent
Male	750	61.5
Female	354	29.0
Total	1104	90.5
No data	116	9.5
Total	1220	100

From here on there is much more missing information. Family status is only captured where relevant to the case. There are 723 cases where this information has been recorded and this is represented in Figure 5. The huge dominance of single applicants is striking. However, caseworkers at Scottish Refugee Council were somewhat surprised by the low figures for lone parents and pregnant women. It is worth adding that caseworkers'

experiences of large numbers of lone parents and pregnant women have been relatively recent. This is reflected in further examination of the statistics which show that 39% of the total number of pregnant women in the database applied in 2008, along with 32% of all lone parents applying for Section 4 support. This development is also balanced by the proportional drop in single applications in 2008, from 74% of total applications to 61%.

On closer analysis of the data pertaining to family status, and due to caseworkers having particular concerns regarding the prevalence of young Chinese women presenting at Scottish Refugee Council, the variable was filtered to include Chinese applicants only. Figure 6 highlights the reasons for concerns among Scottish Refugee Council staff as the proportion of both lone parents and pregnant Chinese women is considerable. Indeed while single applicants are dominant in every other nationality, they represent only a significant minority among this national group.

Figure 5 family status



Family Status – Chinese Nationals Only

Figure 6

	Frequency	Percent
Single	30	21.7
Single Parent	23	16.7
Couple	12	8.7
Family	12	8.7
Family pregnant	2	1.4
Separated	1	0.7
Pregnant, no info about partner	17	12.3
Total	114	82.6
No data	24	17.4
Total	138	100.0

5.0 Application Process and Time Spent on Section 4

5.1 Section 4 Applications

Figure 7 is indicative of the evolving nature of Section 4 from a form of support linked to returns to one with a variety of rationales. Indeed fewer than 9% of Section 4 clients at Scottish Refugee Council had their Section 4 claim linked to voluntary return. By far the largest proportion concerns individuals who have supplied new information with regard to asylum cases and whose asylum application, although initially refused, is continuing. Further representations relate to new evidence being submitted to support an existing asylum claim. This for the most part is different to Article 8 further representations which tend to be based on human rights claims.

Figure 7 - Basis of Section 4 Application

	Frequency	Percent
Further reps	545	44.7
Unfit to travel	139	11.4
No safe route (rashid)	71	5.8
Legacy/ article 8	114	9.3
Judicial review	48	3.9
Voluntary return	106	8.7
Other	48	3.9
Multiple	25	2.0
Excep/ Comp	18	1.3
Total	1114	91.3

Indeed on further analysis, it seems the proportion of Section 4 cases that are linked to voluntary return has declined in the last couple of years. 24% of the total number of applications made for voluntary return were made in

both 2006 and 2007. The figure for 2008 fell to just 16.3% of overall voluntary return applications, meaning that in 2008 voluntary return accounted for just 6.1% of all Section 4 applications. Meanwhile over 50% of all cases in each of the years 2006, 2007 and 2008 were related to individuals either submitting entirely new asylum claims or providing new evidence to support an existing claim.

Two interviewees for this research had been in detention prior to being on Section 4 support and their cases were clouded in some confusion. One young Iranian who had travelled through a third country to the UK had been detained and released and given Section 4 support. His case, to the best of his knowledge, has never been looked at by UKBA and he had been left on Section 4 support for over a year. Another woman from Cameroon had also been released from detention and applied for Section 4 support. Her initial case was still pending when she first went onto Section 4 support although this was quickly refused and her case then went to judicial review. Nevertheless, on release from detention, in a new city where she knew nobody, she had to wait three weeks for her Section 4 support to come through. Not only did she therefore go through a period where she had no support, she was also clear that being on Section 4 and having a pending case meant that pursuing her case would be more difficult.

She stated that “if you still have your case you need to be active or doing one or two things or travelling. There is obviously no money for you to top up your phone or to move from one place to another to gather something to support your case...and when you don't do that, you know the consequences.... It's really difficult to pursue your case because you don't have the means. Without money it's very difficult. It's difficult to do anything without money”(Interview11).

More will be said on the ramifications of the lack

of cash below. One Iraqi Kurd was clear that his fears of return were based on the changing circumstances in his home country. On the fall of Saddam Hussein he had applied for Section 4 on the basis of return. However, when the situation changed and the borders of Iraq were closed, his case changed to one whereby there was 'no safe route'. Since then he feels not only that the situation in Iraq has changed, but also that his personal circumstances have altered.

"I was under two pressures. One in here, being here for five years without any decision, I'm talking about 2003 and 2004. And the other pressure was Saddam Hussein was over, we thought that was the end of everything and democracy will transfer from European country or American country to Iraq, but the thing got changed and I think the Iraqi prime Minister stopped anybody going in or coming out of Iraq so that was one of the points you could stay here...because there wasn't any way to go back" (*Interview 6*).

With regard to the changing nature of Iraq he added that "the enemy is different now, a car might be your enemy.....so the situation got changed and my mind got changed as well... it got changed because it was more scary than before" (*Interview 6*).

Although full data is not available a significant minority of Section 4 cases seen by Scottish Refugee Council caseworkers eventually get Leave to Remain in the UK, including two interviewees in this research. In some senses Section 4 is now being used as a more general and less generous form of support. What is more the 'end of process' principle is not borne out by the facts. The Joint Committee on Human Rights made this very point in stating that "there is no evidence that the voucher system encourages refused asylum seekers to leave the UK" (*Joint Committee on Human Rights Tenth Report 2007*). Thus all of the evidence points to Section 4 having little relationship to returns, and instead would imply that it operates as a punitive form of social support.

5.2 Time Spent on Section 4 Support

It was difficult to extract exact dates in order to be able to ascertain the length of time people have spent on Section 4. There were only 327 cases where data could be extracted with complete confidence that the data was accurate. Cases where there were no updates recently, that is, where the client had not been in contact with Scottish Refugee Council for a year or more, were also excluded from this data which may skew results somewhat.

It was felt that including some cases where there had been little contact for a significant period of time could have artificially inflated the length of time individuals had been on Section 4, as we could not be certain that they had remained on Section 4 support. Nevertheless, out of a total of just 330 cases in (see figure 8), 128 had been on Section 4 for over 2 years, some 39% of the total for whom we have data. Indeed 43 people had been on Section 4 support for between three and four years and 10 of the 330 cases had spent over 4 years on Section 4.

This means that of the cases that could possibly have been on Section 4 for upwards of 4 years, those that applied in early 2005 or before, between 5% and 10% had done so. These trends, if the Section 4 process continues as it is, are likely to be exacerbated in the coming years. As the numbers of Section 4 clients has grown substantially since early 2005, if the percentages were to remain similar, then many more individuals spending upwards of 4 years on Section 4 will be likely in the years ahead.

For those clients for whom we have data, the average time on Section 4 was just over 19 months. This compares unfavourably to CAB findings mentioned earlier that found an average of 9 months.

Needless to say, once the data is subject to cross-tabulations further gaps become evident. Nevertheless, while crossing country of origin with length of time on Section 4 it was still possible to obtain data for 329 cases (see Figure 9).

Four in ten of all Chinese clients on Section 4 support have been on this form of support for over two years with a further 24% having been on Section 4 for between one and two years. Similarly 41% of those for whom we have data from Democratic Republic of Congo have been on Section 4 for upwards of two years, with a further 36% having been on Section 4 for between one and two years. Some 39% of Iranians and 40% of Iraqis for whom we have data had been on Section 4 for two years or more. The data we have for Somalis regarding the length of time they had been on section 4, shows 42% of had been receiving this type of support for between two and three years.

Indeed some 23% of all cases for which we have data on both the length of time on Section 4 for and nationality have been on Section 4 for between two and three years. A further 13% have been on Section 4 support for between three and four years. All of the 10 cases who had been on Section 4 for over four years were able to be identified by nationality. While the overall balance of cases would mean that an Iraqi presence in this category is not surprising, some of the other cases are more unexpected. For example, there were two Pakistanis who had been on Section 4 support for four years or more, some 20% of the total, despite the fact that Pakistanis made up fewer than 5% of overall cases.

The gender balance was also crossed with the length of time on Section 4. Overall numbers were reflective of the gender breakdown in the database. However as is shown in Figure 10, men were disproportionately on Section 4 for long periods of time.

The prevalence of relatively young people who survive on Section 4 for long periods of time is evident, and due to the overall age balance of Section 4 clients was to be expected (see Figure 8). What is perhaps less expected is those in other age categories on such support for long periods of time, particularly the very young and very old. One client was under

the age of 20 when he started on Section 4, and he was to spend over four years on Section 4. Similarly, the research also found that there was one individual over the age of 60 who had been on Section 4 for four years or more.

While single people make up the vast majority of Section 4 cases, it is therefore unsurprising that they should also dominate those on Section 4 for long periods of time. Nevertheless, at least one family was on Section 4 support for over four years, and there were many young families and lone parents surviving on Section 4 for two or three years (see Figure 9).

Figure 8: Total time on Section 4

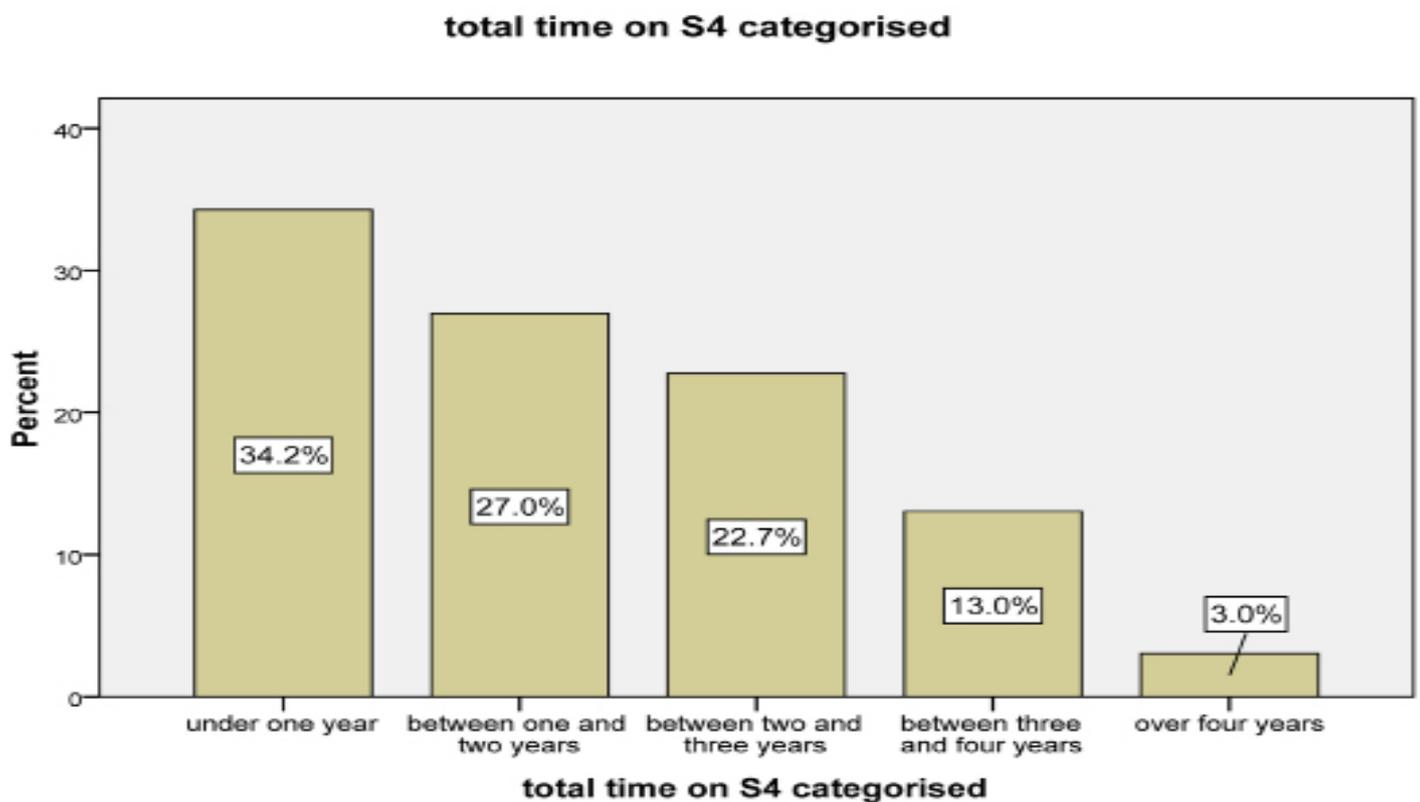


Figure 9: Nationality and total time on Section 4

	under one year	between one and two years	between two and three years	between three and four years	over four years	Total
Afghanistan	0	1	1	1	0	3
Algeria	0	0	3	0	1	4
Angola	0	2	2	0	0	4
Burundi	1	1	1	3	1	7
China	9	6	7	3	0	25
DRC	5	8	4	5	0	22
Eritrea	3	3	1	3	0	10
Iran	16	12	12	6	0	46
Iraq	23	21	17	9	4	74
Pakistan	3	2	0	2	2	9
Palestine	4	2	0	1	0	7
Somalia	8	3	8	0	0	19
Sri Lanka	0	1	0	1	0	2
Sudan	3	4	2	1	0	10
Turkey	3	0	1	0	0	4
Uganda	2	1	1	0	0	4
Zimbabwe	17	5	6	3	1	32
Other	15	17	9	5	1	47
Total	112	89	75	43	10	329

Figure 10: Total time on Section 4 and Gender

	Gender		Total
	Male	Female	
Under one year	77	38	111
Between one and two years	66	23	89
Between two and three years	46	27	73
Between three and four years	31	12	43
Over four years	7	2	9
Total	223	102	325

Figure 11: Age group and time on Section 4

	Under one year	Between one and two years	Between two and three years	Between three and four years	Over four years	Total
16-20	2	3	0	1	1	7
21-30	44	25	30	11	3	113
31-40	43	32	30	16	4	125
41-50	13	16	7	7	0	43
51-60	4	7	2	6	0	19
60+	3	5	4	1	1	14
Total	109	88	73	42	9	321

Figure 12: Family status and time on Section 4

	Under one year	Between one and two years	Between two and three years	Between three and four years	Over four years	Total
Single	65	66	45	26	6	208
Single parent	12	1	5	4	0	22
Single pregnant	2	3	3	2	0	10
Couple	10	5	7	3	1	26
Family	5	4	6	3	1	19
Family pregnant	1	0	1	2	0	4
Separated	2	2	1	1	0	6
Widowed	1	1	0	0	0	2
Pregnant - no info about partner	2	2	3	0	0	7
Total	100	84	71	41	8	304

5.3 Number of times on Section 4 Support

Figure 13 below concerns the number of times people are on Section 4 support. Although a large majority of cases where data can be confidently extracted, some 723 cases, have only been on Section 4 support once, there are two cases that have been on Section 4 support six times, and a further 28 who have been on Section 4 support three times. The 51 people who are included in the database but who have not been on Section 4 are people who applied but were refused Section 4 support.

Of those cases where individuals were supported more than once there was a noticeable split between those who experienced a very short gap between periods on Section 4 which represents something of a cycle, and those who had much longer periods with no support in between periods of Section 4 support.

Those experiencing very short gaps are not included in the longer time periods as they have not been on Section 4 continuously. Thus there are clients who have been on Section 4 support for many years but who are not included in the figures pertaining to those on Section 4 for 2, 3, or 4 years.

The process of being on and off support is an issue of concern given that there is increasing evidence within the general benefits system that the benefits 'cycle' of moving on and off benefits multiple times leads to worse incidences of poverty and deprivation than would have been the case had people simply stayed on benefits. Thus while people are being increasingly 'encouraged' to enter or re-enter the labour market, there are risks associated with this movement that potentially have

deleterious effects on the lives of those involved. Not only are there issues of instability in terms of income, there are also psychological ramifications where fear of having support withdrawn or not being able to sustain work creates a stressful situation for those involved. This trend could well be replicated in Section 4 cases, in which case the fear and psychological impacts would be potentially even worse as there are no other forms of support to fall back on and the ramifications of refusal are potentially life-threatening.

Figure 13

Number of times on Section 4

	Frequency	Percent
0	51	4.2
1	541	44.3
2	100	8.2
3	28	2.3
6	2	0.2
Total	723	59.3

The difficulties in living on Section 4 support are well documented. However, because the conditions are so difficult and the stories so personal, indicating a wide range of problems within the system of Section 4, some of the problems deserve further elaboration in this report.

In addition, the difficulties associated with life on Section 4 could potentially impact upon the decision making of those on Section 4, whether deciding to return to their country of origin due to this hardship, or being unable to make contacts with people in those countries to assess and/or arrange return due to the lack of cash. Questions about the relationship between experiences and returns were asked of all interviewees and are referred to in Part 8. This part relates to the issues raised by interviewees themselves about their lives on Section 4.

6.1 Cashlessness

One of the main difficulties mentioned by all of the interviewees for this research report concerns the issue of the shops that clients can use vouchers in, as well as the location of those shops. For example, Interview 1 mentioned that Asda does not sell Halal food and that he therefore had not eaten any meat since going onto Section 4 support. When asked if he felt he managed to eat enough food he was very stoic.

“We have no choice....if you have no choice you can't say anything....you can't say anything because that's what they said, if you want it or don't want it”(Interview 1). Another interviewee was similarly stoic “I don't actually belittle what I get... Giving vouchers, Tesco vouchers or Asda vouchers or anything, as I said at the beginning I don't want to belittle what you get, but as a human being in this country after nine years, you might give me food by vouchers but your life can't change... you want to cut your hair, either they have to open a barber shop in Asda to cut your hair by voucher” (Interview 6).

A mother of three young children mentioned the added problems of long journeys to the

supermarket with those children. “Long long long way, with children. You've not got legal then you've not got car, you can't drive....a lot of things are very very difficult”(Interview 8).

Not only are there problems in terms of access to the right food, the situation is similar regarding clothes. “How can I get clothes for me to buy. Like, what can I say, this blue jeans in Tesco is £35 but if I go to charity shop I can find £3, £5.....for today, a jacket in Tesco you need to have £30, £40, but if I go to charity I can find some jacket for £5. Like I say it's discrimination. You have to give me money. What I can do with this money I can buy cheaper food, then cheaper clothes” (Interview 4). Interview 5 agreed. She stated that “you can never buy the clothes when you have the voucher, you just have the food.....for help with clothes I go to my church. With the voucher it is not possible to buy the clothes” (Interview 5).

Problems with lack of transport due to living cashless were also mentioned by every interviewee who agreed to take part in this research. This issue had both health and socialising dimensions. Interview 2 told us

that his elderly wife had had a heart bypass operation but that “I had no money to take taxi to take my wife to the hospital. I have no money to take bus ticket from the reporting centre, I have no money to take Halal food” (*Interview 2*). Interview 3 complained that despite having had severe mobility problems, he was required to walk for some 2 hours to Asda to buy just the few items he was able to walk home with, and that he therefore had to make this trip several times a week. He also mentioned the issue of walking to the United Kingdom Borders Agency reporting office each month. “I have to go and report to the Home Office once a month and before when I was on crutches I used to start off at 5 in the morning, get there at 12 to report and then get home at 6 in the evening because I have to walk everywhere” (*Interview 3*).

The problems of keeping friendships going were also exacerbated by the uncertainty surrounding life on Section 4. “It is difficult because you need money...either you have to go and see them or they have to come and see you and some of them, they’re in the same situation... you just wish one day the policy get changed and get your own freedom and independence back because you’re just stripped, until when?” (*Interview 6*). Interview 9 agreed, arguing that “it was very isolating. We were cut off from all our friends. There’s no way you can travel from where we were”, to visit friends” (*Interview 9*). Interview 10 was only helped socially by a nearby church. She stated that “You are bound. You can’t socialise because for everything you need money...there was a church nearby of my denomination so she invited me for a coffee and I told her my situation. So we have been friends” (*Interview 10*).

The inability to meet with people for a coffee and therefore problems in socialising were widely reported. “If I get bored in the house and I come to the city centre and I need a drink I have to go home to get that drink because

there’s no Asda in town. If I get a Tesco voucher there’s no Tesco near my house. There’s one in town but not near my house” (*Interview 4*). This complete inflexibility in terms of all daily life adds to stress levels and was analogous to being imprisoned for some. Comparing his experience on Section 4 to his time in detention, one man said that, “for the healthy people Section 4 is better than detention but for someone like me whose got health problems, because of that it’s really not that much different” (*Interview 3*). Interview 11 added that the transport problems exacerbated the already stressful existence she had. “It’s really difficult because sometimes I really have to walk all day to go and meet friends and its painful, with all the stress and trauma I’m going through...you find yourself, you’re an animal in the bush, they live better than you. You’re just somebody who had been abandoned somewhere. You’ve got no life, you’ve got no future. There’s just nothing coming” (*Interview 11*).

The collection of vouchers at the offices of housing providers on a particular day each week was also a source of concern. “The big problem I have, for example every Thursday I have to go to collect my voucher... you have to go there every single Thursday. If you don’t you lose your voucher. Sometimes you have to walk a long way for to get vouchers and then you have to go back. We try to complain but nothing is done” (*Interview 4*). This man’s concern related to times when he had been unwell. Rather than stay at home and recuperate he would have to walk in the cold, without warm clothes, and for long distances.

Accommodation problems were another ubiquitous part of the story told by all interviewees. Interview 2 told us that this added to his wife’s existing health problems, “there was no proper heating, no proper fridge, no cooking... my wife is lying on the bed after open heart surgery and its very cold” (*Interview 2*).

One lone parent with a young child talked of the fears she had for her child's health due to the conditions of the accommodation. Asked about her accommodation she said "I will never forget that. I was initially, the first time... I remember they came for me and told me I had no choice for accommodation. They took me and it was very dirty, there were nappies... I remember we reached there at night and all I had was food utensils in a black bag... the house I stayed was dirty, there were insects crawling from the carpet... and my daughter was crawling" (*Interview 11*).

Interview 11 also compared life living on Section 4 vouchers to detention. "Life on Section 4 is really really really hard. Its hard because you don't get the cash. But in detention is also hard... because you are being detained sometimes its hard to contain everything that's going around you because you are not free, liberty goes with freedom... but when you are free outside and you don't get all those things (facilities in detention) it's the worst. It really makes it worse" (*Interview 11*).

6.2 Health

Interviewees were universally positive about the health care they had received. However, many were adamant that their time on Section 4 support had witnessed a deterioration in their own health, particularly their self-defined mental health. Interview 3 stated that his mental health was related to his sense of isolation. "There are mental and mind problems. My situation now is no different from when I was in detention. When I was sent here I didn't know anyone. I've been here two years and I still don't know anyone. I don't even know the money of this country" (*Interview 3*).

Interview 6 told of visiting the doctors' surgery where staff all knew of his present situation. His

problems were then linked by the doctors to his asylum claim and both were clear that medical intervention would not solve the problem. "I've got a pain in the back of my head and in my eye... the doctors knows exactly what is the problems. The pain I have in my head, my shoulder and eye, its all connected with the stress so that is the, without any checking that is they first question, they know what is your problem. Whatever they give you is either a pain killer or a kind of medicine. I've got them in the house, its all related to my stress because when I think about, it will drive you mad and you go to the doctor and say 'I'm here again', but nothing will get changed because this is your problem, your just waiting" (*Interview 6*).

Interview 11 linked her mental health problems to a comparison between the life she leads on Section 4 support, and that which she had prior to having to flee her country of origin. "Stress, stress stress. Its terrible. You know, sometimes people have, while I was back home before I had to leave I had a good life. Then to move from a good life, going through torture, detention, prison and all this sort of things. You seem to look as if there is a full stop somewhere... its really the treatment... I feel too bad all of the time and I'm scared all the time, I don't sleep" (*Interview 11*). Interview 10 added that in addition to her own stress levels, which her daughter picks up on regularly, her health is also affected by her desire to provide as much as possible for her daughter, meaning she will go without. "We have these limitations being on Section 4. If I want her to have something I have to sacrifice myself" (*Interview 10*).

Vouchers were also mentioned as a source of shame by many interviewees that added to existing stress. Interview 2 told us, "when they give the money I don't want to take, in my country I make lots of money... and I asked please help me, and its shame for me because I am facing very hard time" (*Interview 2*). The

clear identifying nature of vouchers merely added to his shame. Interview 4 added that the perceptions of the public impacted on his life, “a lot of people see, they are asylum seekers, they are refused, they are from Section 4. It does affect our personalit y. For me, that’s my point, it’s like a discrimination. [Cash] would probably go some way to allowing people to respect you because you are an asylum seeker” (*Interview 4*). Interview 10 added that the situation of those on Section 4 is tantamount to being second class asylum seekers, never mind citizens, and alluded to this companion mentioned above. “We are second class. Even among asylum seekers we are the lowest... everywhere I go, I have a shadow. Being able to stay might... remove the shadow... be more, an individual” (*Interview 10*).

Interview 4 put it succinctly. “You feel like you don’t have any personality. You are able to do some things, you are strong to work but you are not allowed to work. But people think you have come here just to stay, eating money, not paying council tax, eating, study for nothing, eating for nothing, getting paid for it... it does affect us, you become useless. It does affect when someone say, ‘you are useless’, when you know you are not useless. The situation for life make you useless. The Government make you useless” (*Interview 4*). Interview 8 agreed, arguing that she and her family were being treated as criminals when what they wanted was to contribute. “We no doing crime here. We no doing bad thing here. If you give me the legal I really don’t want NASS support or Section 4...I want to work and pay the tax” (*Interview 8*).

The future appears to be a difficult place to imagine for many interviewees. Interview 11 felt that her life was on hold, and that it could only change after receiving status. “I would like to start my life because up until now I am just someone who has come to a point in my life where there is a full stop...I’d like to try to do as much as I can to help the country as a whole... I really want to be useful” (*Interview 11*).

Interview 6 told of a visit to his home by his accommodation providers. “Last time when I had visitors in my house and they were checking windows and they said ‘there’s not a safety pin’ and I said ‘what is the reason’ and they say you might make a suicide, and I say that is not a solution to stop me what is pushing me is waiting and waiting and waiting” (*Interview 6*). The period of time and circumstances of waiting are the problem, and yet measures such as this, while implicitly acknowledging the stress caused, do nothing to relieve that stress.

Fear appears to be a constant companion of those on Section 4 support. Fear of the future and fear of what each day will bring add to stress levels. Interview 7 talked of hoping to get leave to remain as positive and even cathartic. “If I get leave to remain in the UK, it’s going to be, I’m very, very happy because I can trust myself. It’s like, nobody can send me, force and send me to go back to Iraq you know. And I say now, because now I feel, I feel not comfortable at all honestly. Because I know some times Home Office come when somebody goes to sign and the Home Office, 5 in the morning knock at the door and somebody catches them and send them to Iraq you know, without any interview... just say Iraq is new Government. But I like to, I hope, I hope to get leave to remain in the UK because I have huge problem in Iraq” (*Interview 7*).

While life on Section 4 vouchers represents a life in poverty, in some ways they are the lucky ones as there are many people who go through long periods of time with no forms of statutory support whatsoever.

As the database from which the quantitative information described here comes from was intended to follow those on Section 4 support, it was extremely difficult to obtain figures that relate to periods of time with no support. However, there are a number of reports that cover these issues in greater detail, outlining both administrative destitution and people who do not want to apply for Section 4 as a result of it being linked to returns (see ‘Second Destitution Tally’).

For this research it was only possible with confidence to get figures for 86 people. Nevertheless, of those 86 individuals, 2 had spent over 4 years with no support other than friends or charity. A further 13 had been in this situation for between 3 and 4 years and 18 more between 2 and 3 years.

Many of those on Section 4 have experienced prolonged periods of time where they relied on friends and charity in order to merely survive. Interview 2 was typical. “We were facing a very hard, hard time. Some times the Scottish people give me some food items and somebody sometimes give me cash... so after that my friend send to me from France, my sister is over there for food and only for food” (Interview 2). Interview 4 talked of his ‘couch surfing’, spending times sleeping on different friends’ couches. “I sleep at one friend for 2 nights, then I move to another friend for 2 or 3 days, then another one for one week” (Interview 4). This he did for two years prior to being eligible for Section 4 support. Interview 7 mentioned that the period in which he slept on a friend’s floor, over a year, had led to him wishing he had died in Iraq. “I live with some friends. That

Figure 14

Time with no support

	Frequency	Percent
Under one year	33	2.7
Between one and two years	20	1.6
Between two and three years	18	1.5
Between three and four years	13	1.1
Over four years	2	.2
Total	86	7.0
Missing	1134	93.0
Total	1220	100.0

time, some friends, they have leave to remain and they worked and they give me some food and they let me to sleep in their house but only on the floor, that’s all... it was very very difficult. At that time I say ‘I wish I had dies, somebody killed me in Iraq and not come to this country. Honestly it was disaster” (Interview 7).

The shame associated with relying on friends was also mentioned by Interview 4. He stated that “you know you can be with someone very nice because you don’t see each other every single day, every single minute. And he respect you as a man. When you starting living in his house, you have no money, he have to buy for you food, for rent, for dinner. He have to give you because you stay with him, and then you become a child for him. After tomorrow, he can’t respect you anymore the way he used to respect you because you are alike a child for him... then you feel shame. Some time when he go out you start crying ‘what happened with my life?’. It’s not easy. It’s not easy” (*Interview 4*). Interview 7 also alluded to the shame of this dependency, “I’m afraid to say that it’s just like a kid, my friend is feeding me because I haven’t any support from anywhere” (*Interview 7*).

There is also a gender dimension to this form of dependency. A lone mother talked of a period when she had no support and relied on her then partner. She stated that “there was a period when I had no support... it was very difficult...it can make you stay in a relationship you don’t want” (*Interview 10*).

8.0 Keeping in touch and plans to return home

The link between life on Section 4 and thoughts and ability to return to their country of origin was also an issue raised in many of the interviews.

The lack of ability to maintain any form of contact with people in the country of origin was raised, and although not identified by any interviewees as the reason for not returning 'home', it was seen as creating a fracture with that country of origin.

Interview 2 talked of his inability to maintain contact with his children in his home country, "it's very big problem... very difficult. I can't phone, I can't contact, I can't write a letter. How can I buy a postage ticket... I can't have a mobile phone, I can't phone them. Very difficult. Sometimes a friend say ok you can use my phone, but very difficult" (*Interview 2*).

Interview 6 agreed. "I can't use any card or any telephone vouchers, the top or whatever. The telephone cards you need to have the cash to do it, to contact your family or people who is outside the UK" (*Interview 6*). He went on that the long period of time between being able to talk to family risked having an ostracising effect. "This is our culture, if you do not stay in touch with friends they might look at you in a different way and you don't want to have this image in front of your family and friends and Section 4 and vouchers, this is a, you don't get that freedom" (*Interview 6*).

Overall though, fear of persecution remained the reason for not wishing to return, despite the difficulties associated with life in Scotland. Interview 3, for example, talked of his ill health while in detention.

"If it was possible for me to go back, I was in a very bad situation when I was in detention, if I could have gone back I would have gone back. I must have a problem that I can't go back!" (*Interview 3*). Interview 4 was more direct.

"Going back to DRC? I can't. I can't because they Government didn't change. The second one all of my family rejected me.....if I go back? I can't go back" (*Interview 4*).

There was a degree of resignation in the views expressed by Interview 6. "I think, no matter what happens to you back home, I mean, getting killed, that might be easier than staying on Section 4 for 5 years. You don't feel it, you don't feel how years just pass... I don't know. There is no alternative for me to say 'what else is there you can choose' to not be on Section 4. There is no alternative. If there is something else better than that I would" (*Interview 6*).

Interview 10 was even more circumspect regarding life on Section 4 as she was unable to ever return home "I think...you just put up with the situation" (*Interview 10*). Interview 11 questioned any link between Section 4 and returns. She stated that "the truth is I don't have anywhere else to go because I can't go back.... if they say Section 4 is for people who are to go back, why would they give Section 4 when I still have a pending case" (*Interview 11*).

Conclusions

The arguments made by interviewees in this report are clear, that Section 4 is both de-humanising and has no link to returns. Both the statistics and the qualitative interviews point to there being little relationship between Section 4 support and any plans to return to one's country of origin. Indeed, many interviewees felt that their willingness to continue on Section 4 support, despite its huge difficulties, was indicative of the problems they have in their country of origin. Section 4 voucher support is felt to have a negative impact on health and ability to maintain social contacts, and also prevents any possibility of becoming part of Scottish society. Cashlessness inhibits all aspects of their daily lives.

The evidence of this report also points to increasingly long time periods in which people are on Section 4 support. To be included as having spent upwards of 4 years on Section 4 support in this report, the client would have to have applied for Section 4 support by early 2005. As applications have risen since that period of time, in all likelihood there are considerably more people who have been on Section 4 for more than 4 years than the research can confidently report. A similar argument can be made regarding those on Section 4 for between 3 and 4 years. This all amounts to substantial evidence that Section 4 support is not being used as a short-term measure and it is not being used only, or even substantially, for those close to returning to their country of origin. Further work would help to provide a more substantial array of evidence regarding time lengths and criteria.

Recommendations

Scottish Refugee Council feels that the totality of evidence from this report and many others suggest a number of key changes to the way in which asylum support is operated. This amounts to three primary recommendations

- Refused asylum seekers should all be on Section 95 cash support until such time as they are either given status in the UK or they return to their country of origin.
- The UK Government should provide appropriate protection to all of those who need it. This includes all of those who cannot return to their country of origin due to it not being safe for them to do so.
- The UK Government should grant asylum seekers the right to work after six months if a final decision has not been made on their asylum claim.

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