

Refugee Week 2014: information sheet for MLAs



Law Centre (NI) welcomes the Assembly motion that will express its support for Refugee Week and Community Relations week. Refugee Week is a UK-wide programme of events to celebrate the contribution of refugees to the UK and encourage better understanding between communities. This factsheet provides some basic information about asylum and refugee matters in Northern Ireland.

Who is a refugee?

Internationally, the United Nations 1951 Refugee Convention defines a **refugee** as:

- a person who is outside his or her country of nationality and has a well-founded fear of persecution because of race, religion, political opinion, nationality or membership of a particular social group.

Who are asylum seekers and refugees in UK law?

- an **asylum seeker** is a person who has fled his or her homeland, made him/herself known to the UK authorities and exercised the legal right to apply for asylum.
- a **refugee** is a person whose asylum application has been allowed by the UK. He or she is usually granted five years refugee status and is permitted to work, study and claim benefits.
- a **refused asylum seeker** is a person whose asylum application has been rejected. Some refused asylum seekers leave voluntarily, some are detained and removed. Others ultimately secure refugee status by submitting further evidence. Others fall into a 'limbo' situation whereby although they cannot actually leave Northern Ireland – e.g. because there is no safe route or they are not well enough to travel – they do not have permission to stay.

How many asylum seekers are there in Northern Ireland?

In 2012, there were 140 asylum applications in Northern Ireland, not including family members (according to a figure provided by the Home Office to the Northern Ireland Strategic Migration Partnership).¹ Figures obtained by the BBC in May 2014 are that there were 240 applications for asylum in 2012², although this may include dependants.

By applying UK-wide outcomes to Northern Ireland, the Law Centre *estimates* that of the 140 asylum applications in 2012, 52 were granted refugee status whereas 88 were rejected. We estimate that 29 refused asylum seekers were granted status on appeal. We also estimate that 25 refused asylum seekers either left Northern Ireland voluntarily or were removed. The others either continued to pursue their case or fell into a limbo situation.

NISMP figures show that the five biggest nationalities in Northern Ireland in 2012 were China, Zimbabwe, Nigeria, Sudan and Somalia.

¹ <http://www.migrationni.org/demographic-trends#asylum>

² <http://www.bbc.co.uk/news/uk-northern-ireland-27674001>



How does an asylum seeker become a refugee?

The Home Office deals with asylum applications. Having claimed asylum, a person needs to present as much information as possible to prove that he or she would be at risk in his or her home country.

Some applications are determined within a few weeks. Others take months or even years. Across the UK, just over a half received an initial decision within 12 months in 2013, and delays are increasing.³ We do not have Northern Ireland data.

If a claim is successful, an asylum seeker is recognised as a refugee.

What requirements must asylum seekers comply with?

Upon arriving in the UK, asylum seekers are fingerprinted (6+ years), photographed and security checked. They must surrender their identity documents. They receive an asylum ID card. Electronic tagging is a possibility.

All asylum seekers must report at regular intervals at Drumkeen House (Forestside) and must attend interviews when requested. They must live at a specified address.

Asylum seekers can be detained at any point during the asylum application, whether or not they have complied with requirements. In Northern Ireland, a person can be held at the Short-term Holding Facility in Larne for a maximum of seven days before being transferred to immigration detention in Great Britain or removed from the UK.

What support is there for asylum seekers?

Asylum seekers are not allowed to claim mainstream benefits but may be entitled to receive asylum support (known as NASS). This usually consists of a room in a shared house for single adults or a house for a family and financial support:

	Weekly payment
Single adult asylum seeker	£36.62 cash
Couple adult asylum seekers	£75.52 cash
Child asylum seeker	£52.96 cash
Pregnant asylum seeker	Extra £3 a week
Baby (<1 year)	Extra £5 a week
Refused asylum seeker NB: Some refused asylum seekers are not entitled to any support.	£35 payment card (no cash)

Because asylum support is only around 50% of the rate of Jobseeker's Allowance and because some are not entitled to any government support, asylum seekers and their children are often partly or, in some cases, wholly reliant on charitable support for food, clothing and shelter.

³ Westminster Home Affairs Committee, 'Asylum: seventh report' (8 October 2013)



Refused asylum seekers are particularly **vulnerable to destitution**. Health is also an issue as they are not allowed access to a GP and can only receive free emergency health treatment. DHSSPS is currently exploring this issue.

Many asylum seekers are **highly skilled**. However, the large majority of asylum seekers are **not allowed to work**, which causes hardship. Studying opportunities are limited: Northern Ireland provides free English language classes and essential skills classes to asylum seekers. Beyond this, asylum seekers are generally required to pay for any studying / training. Any cost is usually prohibitive due to low income levels.

Many asylum seekers choose to spend their time **volunteering** and are involved in many different types of projects including: volunteering with faith groups or community groups, sports coaching, gardening, conservation work, interpretation and translation, teaching languages, assisting with crèches, etc. Some asylum seekers volunteered at the World Police and Fire Games and Giro d'Italia.

Why do asylum seekers volunteer?

For different reasons, including a desire to:

- contribute to their local communities
- meet people and integrate
- learn new skills and keep existing skills active
- practice the English language
- have a daily routine and participate in a purposeful activity
- be a positive role model for their children, etc.

What can MLAs do?

We ask all MLAs to:

- contribute to the Refugee Week debate and support the motion
- ensure that the anticipated Racial Equality Strategy addresses the needs of the asylum seeking and refugee community
- request that OFMDFM prioritises work on the Refugee Integration Strategy

Where can I get further information on migration?

EMBRACE NI compiles an annual report on migration in Northern Ireland including a detailed section on asylum issues called 'Embracing Diversity'. This is an excellent source of information.

Another useful source is the Northern Ireland Strategic Migration Partnership, which is currently collecting and collating migration information on its website www.migrationni.org

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