[Your address]

[Date]

[Lords address]

**Subject: Immigration Bill 2015 - Second Reading 22nd December**

Dear ,

[Say who you are and why you are interested in the issue]

I would like to take this opportunity to bring your attention to proposed changes to asylum support that could put both the safety and wellbeing of children seeking refugee protection at risk. These changes, outlined Clause 37 and 38 in the Immigration Bill 2015, will be debated in the House of Lords on the 22nd December.

People seeking asylum do not have permission to work in the UK and thus are forced to rely on support provided by the Home Office. This consists of accommodation given on a no-choice basis and just £5.28 per day to cover food, clothing, toiletries, travel, communication and all other necessities. Since the 10th August, children seeking refugee protection have had their financial support cut by 30%. This is simply too low to cover anybody’s basic needs, forcing people seeking asylum to live in poverty and isolation.

Even under the current system many refused asylum seekers in the UK do not currently qualify for the limited Home Office support available or have to wait for long periods to access this support. Others are sometimes erroneously denied support they may even be entitled to. Meanwhile they are [destitute](https://regionalasylumactivism.files.wordpress.com/2014/01/destitution-october-2015.pdf), forced to rely on whatever adhoc support is available to them from charities and faith-based groups, or face life on the streets. The British Red Cross have supported more than 10,000 asylum seekers and their dependents in this situation in the UK so far this year.

Being refused asylum in the UK doesn’t mean a person doesn’t need protection. Unreliable [decision-making by the authorities](https://stillhumanstillhere.files.wordpress.com/2013/04/a-question-of-credibility-final1.pdf) and asylum seekers’ limited access to good legal advice means that many can reach the end of the process without their protection needs being recognised. A significant number of people whose asylum claims have been fully refused submit fresh evidence of their need for refugee protection; roughly fifty percent of people who apply for asylum eventually get some form of leave to remain in the UK.

Currently, families with children who have had their asylum claims refused remain on Section 95 support (if their child was born prior to the final refusal of asylum), until their immigration status is regularised or until they leave the country. This is in order to safeguard the rights, safety and wellbeing of the child.

However, [key provisions in the Bill](https://regionalasylumactivism.files.wordpress.com/2015/12/second-reading-immigration-bill-22-dec.docx) will remove important safeguards leaving children and their families vulnerable to homeless and poverty. These provisions will:

1. Leave refused asylum seeking families and their children without access to Section 95 support; remove leaving care support from specific groups of children; and prevent local authorities from supporting children and families under Section 17 of the Children Act 1989

**1.1** There is significant evidence, including from the Home Office itself, showing that the proposed measures within the Bill will not encourage families to leave the UK. In a pilot of similar measures in 2005, the removal of asylum support for refused families did not result in increased voluntary returns, forced removals or engagement with the authorities. Whilst they may not meet the narrow criteria for refugee status, many families still hold very real fears for their safety in their country of origin.

**1.2** Under proposed legislation, refused asylum seeking children will no longer be protected under the Children Act 1989. Instead the government proposes to introduce two new support streams, which will create a patchwork of various forms of support with little clarity as to who will administer these or what they will consist of. Because of its bureaucratic nature, the new system of support will bring with it a high likelihood of delays that could seriously undermine children’s’ safety. Indeed, as the death of one mother and child in a 2012 Serious Case Review illustrate, delays in support can have disastrous consequences.
2. Remove a right of appeal against a Home Office decision to refuse or discontinue support from refused asylum seekers who face a genuine obstacle to leaving the UK.

**2.1** This is of great concern as the Home Office’s decision making on support applications is poor. Appeals against Home Office refusals of support are often successful. Between 1 September 2014 and 28 February 2015 in over 50% of cases in which the Asylum Support Tribunal made a decision, the case was either allowed or remitted. **Currently, the right of appeal offers an essential safety net for refused asylum seekers which should not be removed.**

I want to live in a society that treats those who’ve fled war, torture and persecution with dignity and respect. I am asking you to speak up in support of any amendments which would:

* Remove the provisions in the Bill that prevent destitute refused asylum seeking families from accessing Section 95 support;
* Remove the provisions in the Bill that prevent local authorities providing leaving care support under the Children Act 1989 to specific groups of young people;
* Provide a right of appeal to those who have their support refused or discontinued because the Home Office believes there is no barrier to them returning home;
* Increase the current level of asylum support and ensure it is adjusted annually in line with inflation;
* Allow asylum seekers to work if an initial decision has not been taken on their application within six months.

I would be grateful if you would please read [Still Human Still Here’s ‘Second Reading Briefing’](https://regionalasylumactivism.files.wordpress.com/2015/12/second-reading-immigration-bill-22-dec.docx) and share this document with other peers. I would also be grateful if you were able to attend the Second Reading of the Immigration Bill on the 22nd December and please keep me informed of any action you take on this.

I look forward to hearing from you,

Kind regards,