

Refugee and Asylum Forum

Priorities for Action
2023



Table of Contents

Priorities for Action	2
The Refugee and Asylum Forum	3
Key achievements to date	4-5
Collecting members' ideas	6
Integration	7-9
Essential needs	10-12
Housing	13-15
Employment	16-17
Health and social care	18-20
Education	21-23
Adult education	24-25
Human trafficking	26-27
Immigration advice	28-29
The Ukraine Scheme	30-31
Hong Kong BN(O) visas	32-33
RAF survey findings and event feedback	34-35
Contributing organisations and acknowledgements	36-37

Priorities for Action: introduction

This **Priorities for Action** paper has been compiled by members of the Refugee and Asylum Forum (RAF).

International human rights law requires States to implement measures to ensure effective refugee reception and integration. In Northern Ireland, this legal obligation rests primarily with The Executive Office (TEO). A commitment to develop a Refugee Integration Strategy was given by government in 2005. **Eighteen years** later, this commitment has not been delivered and the Strategy remains in draft form. In the absence of government policy, the sector has come together to identify the most pressing concerns and to propose a number of changes to policy and practice that would improve the integration of asylum seekers and refugees in Northern Ireland.

Almost **fifty organisations** have contributed to this paper either by sharing their thoughts at the RAF Gathering 2023 event or at subsequent RAF meetings.

Our preference is that a Refugee Integration Strategy is published that contains measurable actions, robust accountability structures and a monitoring mechanism that involves civil society and persons with lived experience of forced migration. TEO's position is that the Refugee Integration Strategy cannot be signed off without Ministers; it is in this context that Forum members have prepared this paper. We invite TEO to acknowledge that many of our recommendations could be progressed or implemented in the absence of Ministers. Further, while some of the changes we propose would need significant resources, with sufficient goodwill and effective partnership working, some of the recommendations could be delivered at no cost or low cost. Northern Ireland's response to the Ukraine Scheme is evidence of what can be achieved without Ministers and in a short space of time.

In addition to providing a blueprint for refugee integration, this paper provides a record of the key challenges in 2023. We hope that this paper will serve as a benchmark by which the refugee sector can track developments. We stand ready to assist government departments with progressing these proposals.

Northern Ireland as a place of refuge

The refugee population in Northern Ireland is growing. As of March 2023, Home Office data shows that there were 3,030 asylum seekers receiving support here. The majority live in Belfast but an estimated 700 live outside the capital. Northern Ireland also hosts refugees who have arrived through different protection schemes. This includes: 1,814 Syrians who arrived through the five year Syrian resettlement programme (commenced 2015); 2,583 Ukrainians who arrived through the Ukraine Scheme (commenced 2022), an estimated 2,000 people through the Hong Kong visa route (commenced 2021), as well as a tiny number of Afghans arriving through the Afghan resettlement schemes.

Refugee and Asylum Forum

About the Refugee and Asylum Forum

The Refugee and Asylum Forum (RAF) is a group of organisations that have been meeting since 2012. Forum members have day-to-day expertise in delivering services to asylum seekers and refugees or providing support, policy or advocacy. Our collective expertise is wide-ranging and spans health and social care, accommodation, integration and participation, legal rights, welfare and policy development.

Membership includes voluntary and community organisations as well as statutory agencies and government departments. Members believe that asylum seekers and migrants have the right to be treated with dignity and respect, and advocate for a fair and humane asylum system.



The Forum aims to:

- provide a space for exchange of information and sharing of good practice;
- strengthen relationships within the refugee sector;
- improve co-ordination within the sector when responding to needs;
- seek to identify and address any gaps in services for asylum seekers within both the voluntary and statutory sectors;
- seek opportunities for progressive improvement including practical, policy and legislative changes.

The Forum has no independent existence and therefore is not constituted or registered with any regulatory body. The Forum was coordinated by South Belfast Roundtable 2012-2022 and is now convened by Law Centre NI.

Key achievements to date

The Refugee and Asylum Forum has proven to be a powerful advocate for change. Securing changes to policy and practice involves a number of actors across and within different sectors. The following changes were instigated or championed by Forum members and are testament to the effectiveness of partnership working.

2012

- OFMDFM adopts the Law Centre's Crisis Fund proposal. This fund continues to be administered by the Red Cross.
- The Department for Employment and Learning amends its policy to provide free English classes to all asylum seekers at Further Education Colleges, following advocacy by Bryson, NICRAS and the Law Centre.

2013

- In consultation with RAF members, the Northern Ireland Strategic Migration Partnership (NISMP) publishes a proposal for a Refugee Integration Strategy for Northern Ireland.

2015

- The Department of Health (DHSSPS) adopts regulations that provide all asylum seekers with access to free healthcare in Northern Ireland following RAF advocacy led by the Law Centre, Red Cross and NICRAS.
- The Northern Ireland Assembly adopts a legislative amendment proposed by the Northern Ireland Commissioner for Children and Young People (NICCY) and the Law Centre that provides for the creation of the Independent Guardianship Service for separated children. This service continues to be delivered by Barnardo's.
- The Department of Justice responds to RAF advocacy and agrees to retain refugee family reunion and immigration matters within scope for Legal Aid.
- RAF advocacy contributes to Northern Ireland agreeing to participate in the Syrian Refugee Resettlement Programme. The SVPR Consortium is established and involves Barnardo's, Extern, South Belfast Roundtable, the Law Centre, Red Cross, Save the Children and is led by Bryson.

2016

- On the foot of the Syrian Resettlement Scheme, and following RAF advocacy, the Department for the Economy amends English for Speakers of Other Languages (ESOL) policy to provide for free English classes for *all* refugees.
- Asylum Seekers are offered 'home fees' when applying to FE and HE courses within Belfast Metropolitan College due to an internal policy change.

2017

- QUB announce two scholarships for asylum seeker students following advocacy efforts by RAF members led by STAR and NICRAS.

2018

- Ulster University announce three scholarships for asylum seeker students following advocacy by RAF members led by Horn of Africa People's Aid Northern Ireland (HAPANI) and the Law Centre.
- Two ground-breaking projects are established that provide accommodation to asylum seekers who would otherwise be destitute and homeless. Participation and Practice of Rights (PPR) leads a project involving Choice Housing, the Community Foundation (CFNI) and East Belfast Mission (EBM) to accommodate female asylum seekers, while Homeplus leads a project with CFNI support to accommodate male asylum seekers.

2020

- The Covid-19 Response for Refugee and Asylum Community (CRRAC) project is established by South Belfast Roundtable, Homeplus, NICRAS, Storehouse, South Belfast Foodbank and EMBRACE and delivers thousands of pounds worth of food parcels, supermarket vouchers, baby essentials and other support to asylum seekers and refugees during the Covid-19 lockdown.
- The Education Authority (EANI) works with RAF members to deliver digital devices and six months free internet to all school-age asylum seeker children.
- The Bryson data project provides all adult asylum seekers with free internet as a Covid measure.

2021

- NICRAS and the Law Centre work together to develop a process for asylum seekers and victims of trafficking to receive the £100 High Street Scheme 'Spend Local' card.
- Flourish, Migrant Help, the Law Centre and Women's Aid secure an amendment to Northern Ireland trafficking legislation whereby survivors of human trafficking receive up to 12 months of support post-decision.

2022

- Corrymeela and Starling Collective establish the Trauma Informed Support Programme.
- The Department for Infrastructure agrees to pilot free public transport for asylum seekers aged 60+ years, which is delivered by the Law Centre and Mears.
- Belfast City Council agrees to make gym memberships free for all asylum seekers living in Belfast.
- The Department for the Economy expands ESOL policy again to provide free English classes to refugees arriving through the Ukraine Scheme and Afghan programme.
- The Open University, Queen's University and Ulster University offer scholarships to asylum seekers for Further Education courses.

2023

- The Refugee and Asylum Seeker NI Voices (RASNI-VOICES) is established.

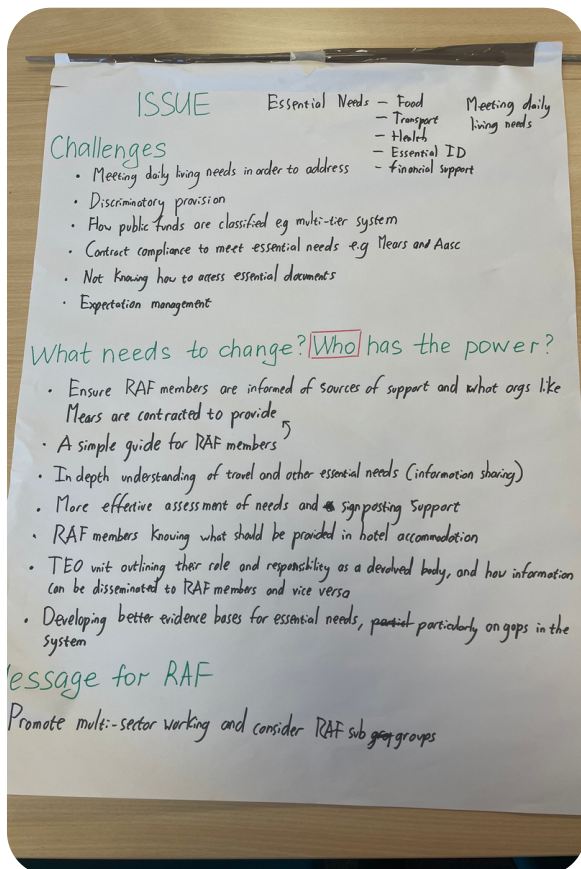
Collecting members' ideas

In January 2023, the Refugee and Asylum Forum Gathering took place in Belfast. The Gathering aimed to offer new and old members the space to **connect, share bright ideas and inspire action**.

The Gathering was co-hosted by Law Centre NI and Belfast City of Sanctuary. Attendees were asked to join facilitated discussions on the themed topics and were tasked with identifying key challenges for asylum seekers and refugees and with proposing recommendations for change.

Following the Gathering, the draft recommendations were shared with the Forum to provide members with a further opportunity to share ideas and contribute suggestions. We now entrust this report to policymakers and look forward to further engagement.

Please note that this paper represents a broad reflection of the key concerns of the majority of members and has not been endorsed by individual Forum members.



Integration

That immigration is an excepted matter is oft repeated. Yet this does not mean that The Executive Office (TEO) and other government departments are powerless. The Racial Equality Strategy 2015-25 commits Ministers to working towards an immigration policy that recognises and takes account of Northern Ireland's different needs and concerns. In our view, this gives TEO a clear mandate to seek to influence UK refugee policy and to critique and challenge Westminster, where necessary.



TEO's Refugee Integration Strategy, committed to in 2005, remains unpublished. This hinders all aspects of refugee integration in Northern Ireland. Support organisations have contributed to the various consultation processes in good faith and yet the lack of outcome risks eroding trust in policymakers. While the Forum is aware that lack of Ministers may impede some aspects of the Strategy's development, we urge civil servants to work with our sector to progress those elements of the work, which could potentially be delivered now.

Effective refugee integration is made more difficult in the context of Westminster's "hostile environment" policies, which diminish the opportunities for contact and interactions between asylum seekers and members of "host communities". We urge the Northern Ireland Executive and TEO to seek to counteract these policies with a clear narrative of welcome and inclusion. An example of where this is necessary is the use of contingency hotels for asylum accommodation. The residents are essentially segregated from local communities which makes integration virtually impossible. This *de facto* segregation can easily lead to suspicion and hostility, which can be manipulated by those with anti-immigration agendas. We ask the Executive/TEO to show leadership and to take a stance against the use of all forms of segregated asylum accommodation. The Northern Ireland Executive should use its powers to introduce legislative reforms that would shield asylum seekers from some of the UK's hostile environment policies (as per CAJ: 'Can Stormont Rollback the Home Office 'Hostile Environment?').

The new TEO Refugee Division is a welcome development. TEO should commit to an ongoing process of engagement with the voluntary and community sector and to be transparent about the Refugee's Division's work, for example, by sharing information about work priorities and work plans. The demise of the NI Strategic Migration Partnership creates an acute need for independent scrutiny.

Forum members are aware of the need for quality and authoritative information about rights and entitlements for asylum seekers and refugees. Such information would benefit asylum seekers and refugees, support organisations and the wider public. NI Direct currently contains comprehensive, translatable information for persons fleeing Ukraine, but contains nothing for people seeking sanctuary from other countries. Expanding NI Direct affords an opportunity to address this disparity, thereby conveying an important message of inclusion. As a related issue, the scarcity of published immigration data for Northern Ireland is an ongoing issue for support organisations: a reliable dataset would make it easier to plan effective services.

The value of lived experience is increasingly understood and yet there is no mechanism for refugees to contribute to the policy development cycle. There is no support for new refugee community organisations e.g. to assist them with governance and to fulfil regulatory requirements. The Minority Ethnic Development Fund (MEDF) is a primary source of funding however the administration of this fund can be difficult for its beneficiaries. The MEDF budget needs to be increased to reflect the growing asylum seeker population. With regards funding, members consider that Belfast City Council's Good Relations Fund is still primarily weighted towards Northern Ireland's two dominant communities and does not make adequate provision for work that supports *new* communities.

The right to vote is an essential part of democracy and yet all asylum seekers and the majority of refugees are excluded. Enabling refugees to join the electoral register for local government and assembly elections would be a powerful example of the government's commitment to integration and is within the gift of Stormont.

Visa restrictions on the island of Ireland are an obstacle to cultural and social integration, can hinder family life and risk refugees inadvertently breaching immigration law. Fifteen years ago, in 2008, the UNHCR recommended that the UK and the Republic of Ireland mutually recognise refugee status so as to realise the right to enjoy freedom of movement within the Common Travel Area. This is long overdue.



Our Integration recommendations

The Northern Ireland Executive:

- show leadership by issuing a clear statement of welcome and inclusion and by challenging hostile narratives and practices, such as detention of asylum seekers;
- clearly outline its role, duties and powers as a devolved body in respect of refugee integration;
- use its powers to introduce legislative changes to shield asylum seekers where possible from Westminster's hostile environment policies.

The Executive Office should:

- publish a Refugee Integration Strategy that contains measurable actions, robust accountability structures and monitoring mechanisms;
- be transparent about the workings of the new TEO Refugee Division, share data and publish budgets for asylum dispersal and refugee integration;
- commit to engage asylum seekers and refugees in all stages of the policy cycle;
- publish a comprehensive guide to living in Northern Ireland and make it available to all asylum seekers upon arrival. This should be available on NI Direct (as it is for Ukrainians) and in print, in multiple languages;
- invest in developing refugee support services in areas outside of Belfast;
- support refugee-led community organisations including organisational development and governance;
- collate and publish a reliable dataset on immigration;
- review the functioning of the MEDF to ensure that it is sufficiently resourced, accessible and that the fund promotes partnership working;
- fund more 'soft' initiatives like mothers and toddlers meetings, men's sheds and forums to allow more opportunity for networking and cross-community communication;
- explore extending voting rights for refugees in local government and assembly elections;
- work with the UK Government and Republic of Ireland to develop mutual recognition of refugee status.

Councils should:

- ensure that any funding streams are accessible for organisations supporting Northern Ireland's *new* communities.

Essential needs

Meeting basic living needs is a daily struggle for many asylum seekers and refugees. Asylum support is £45 per week (£9.10 in hotels) and does not provide a dignified standard of living. Coupled with the restrictions on working, the meagre asylum support rates trap asylum seekers in poverty.

The voluntary and community sector plays a critical role in supporting asylum seekers and refugees. Newly-arrived asylum seekers are often immediately reliant on charitable support due to delays and/or limitations within the asylum support process. An initial welcome payment of £200 - which is provided to all newly-arrived Ukrainian refugees - would go a long way in helping to meet initial support needs.

Another example of where the voluntary and community sector inevitably steps in is at the end of the asylum process when refused asylum seekers are evicted from their asylum accommodation. Arguably, some of these individuals who are made homeless and destitute *should* be supported by the HSC Trusts under human rights/community care powers, however there is no clear process as to how these obligations are identified (see Health and Social Care section). Thus support organisations are under considerable strain due to failures and gaps in government support.

The asylum support system purports to make provision for categories of asylum seekers who have additional needs. In practice, this additional support - such as £3 per week for pregnant women - is insufficient and results in support organisations having to step in. The Northern Ireland government makes no provision for asylum seekers with long-term health conditions or disabilities, despite additional costs that they are likely to incur (see Health and Social Care section).

Overall, there is a lack of accessible information available for asylum seekers and refugees on their rights and entitlements (see Integration). This means that some asylum seekers do not understand the contractual responsibilities of MEARS and Migrant Help. This makes complaints unlikely and reduces accountability.



Essential needs

At present, essential orientation initiatives are largely provided by voluntary and community organisations. Any government support for such work is ad hoc and does not ensure a consistent, quality service.

The cost of transport for asylum seekers is prohibitive, especially for families and people accommodated outside Belfast who need to travel to the city to access specialist services.

The process of transitioning to refugee status remains problematic. Administrative delays and bureaucratic processes result in many newly granted refugees having to rely on charitable support, which can be demeaning and depletes meagre resources.

Many refugees are often working in jobs well below their skill level, which means that earnings are typically low. The social security system is extremely hard to navigate e.g. Universal Credit requires recipients to have English language skills and to be digitally literate. Policies like the "two child limit" push larger refugee families into poverty.

Case Study - Storehouse, Belfast

Storehouse is a charity based in Belfast city centre. It provides essential needs support and sees many asylum seekers within their first month of arrival.

When they initially arrive, people seeking asylum are accommodated in hotels in Belfast city centre, close to the Storehouse centre. In 2022 Storehouse registered 1071 newly-arrived asylum seeking families and individuals for assistance.

Storehouse essential needs support includes food, clothes, toiletries, shoes and buggies for very young children. Their services are regularly oversubscribed. Currently there is a two-week wait for an appointment to get clothes and shoes.

Our Essential Needs recommendations

The Executive Office should:

- fund an effective orientation programme that would include an assessment of essential needs of individual asylum seekers upon their arrival;
- make a one-off payment of £200 to all newly arrived asylum seekers to help with immediate costs;
- ensure the availability of information about essential services including accessible information about the contractual responsibilities of MEARS and Migrant Help;
- consider what support can be provided to help asylum seekers to make complaints in relation to poor quality services;
- work with the Department for Infrastructure to provide free travel - or at least concessionary fares - to asylum seekers;
- work with other departments to fully mitigate asylum destitution;
- work with the Department for Communities, the Department of Health and the Department for Infrastructure to develop a support package for asylum seekers who have health conditions and/or disabilities, especially where there are children involved. This could include access to the Healthy Start Scheme.

The Department of Health should:

- publish guidance explaining how destitute migrants can be assessed for support under the 1972 Order

The Department for Communities/Northern Ireland Housing Executive should:

- expand the Extern service to assist asylum seekers who obtain their refugee status.



Housing

The use of 'contingency accommodation' hotels has resulted in a number of human rights breaches for asylum seekers. The emerging evidence indicates that this type of accommodation is particularly harmful for children. The 'no choice' aspect of asylum housing means that asylum seekers are often separated from support networks with little or no notice, which can be upsetting and demeaning. Lack of safe accommodation for LGBTQ+ asylum seekers is also a pressing concern and is compounded by the fact that not all asylum seekers feel confident about making complaints or asking for help (see Integration section).



The policy of 'enforced destitution', whereby refused adult asylum seekers are evicted from their asylum accommodation, is a particular challenge. This makes exploitation likely and also places huge pressures on voluntary and community organisations, which invariably step in to provide support.

While immigration policy is made by Westminster, our housing policies are devolved. Other devolved nations have made headway with strategies for addressing destitution and homelessness caused by restrictive immigration policies (see Essential Needs section); there is a lack of leadership on this issue in Northern Ireland.

Housing

Refugees experience different housing-related problems. Housing is often very poor quality and expensive and lack of affordability is compounded by the current housing crisis. Targeted race-hate attacks on refugees, asylum seekers and their properties are sadly prevalent. Furthermore, the 28-day notice period, whereby new refugees must leave their asylum accommodation is simply not long enough.

Beyond the Extern refugee transition service (which requires further investment), there are no government services to support refugees to obtain long-term, sustainable accommodation. Accessing private rental accommodation is a challenge - in particular, the guarantor requirement - resulting in refugees spending much longer than necessary in temporary/hostel accommodation.



Although the housing challenges are daunting, members are confident that there are potential solutions. For example, we could explore the possibility of an ethical landlord scheme, expand the community sponsorship model or consider how Northern Ireland can harness the political goodwill and the public's response to the Ukraine Scheme to benefit the wider refugee population. Members understand that there remains a surplus of accommodation offers within the Ukraine Scheme that could be explored.



Our Housing recommendations

The Executive Office should:

- issue a statement to condemn the use of asylum hotels and indeed any form of accommodation that segregates asylum seekers from local communities;
- liaise with the Home Office, Migrant Help and Mears to devise and implement a process to disband the use of asylum hotels and publish a clear timeframe for this. Families should be prioritised for rehousing given the harmful effects of contingency accommodation on children;
- work with other departments to fully mitigate asylum destitution and ensure housing for all asylum seekers as a means to address the risk of exploitation. The No Accommodation Network (NACCOM) has developed a number of tried and tested housing models;
- work with the Department for Communities and the NI Housing Executive to address the current barrier of the guarantor requirement for private rental and to provide more accessible information for refugees about housing options;
- explore housing options for refugees with RAF members and the Department for Communities including an ethical landlord scheme, community sponsorship and expanding the Homes for Ukraine offers of accommodation. This should include education and training for host communities wishing to accommodate and welcome refugees (as with the Ukraine Scheme);
- liaise with the Police Service of Northern Ireland (PSNI) and the Public Prosecution Service (PPS) to ensure effective policing and prosecution of hate crimes against refugee and asylum seeking communities. Perpetrators should face justice as opposed to victims being relocated.

The Department for Communities/NI Housing Executive should:

- expand the Extern service that provides assistance to asylum seekers who obtain their refugee status.

Mears should:

- provide more accessible information about the applicable standards governing National Asylum Support Service (NASS) accommodation;
- establish safe houses for LGBTQ+ asylum seekers.

Employment

Employment is key to successful integration and yet the employment of refugees remains a long-neglected policy area in Northern Ireland.

Home Office policy that prevents most asylum seekers from working is a great injustice and has an adverse impact on skills, mental health and integration prospects. The Northern Ireland Executive should do everything it can to press for change. For those asylum seekers who could potentially work, lack of clarity from the Home Office about how earnings impact on their eligibility to receive asylum support is a real barrier to accepting work.

Northern Ireland is the only part of the United Kingdom where government provides no employment-related support to refugees, such as a bespoke refugee careers service, employability programmes or pathways into specific employment sectors. Any initiatives to date have invariably been led by voluntary and community sector organisations or Councils. This lack of support results in many highly skilled refugees moving to other parts of the UK to seek opportunities once they obtain refugee status. This is a missed opportunity for Northern Ireland.

Likewise, there is no Northern Ireland government-led support for companies that may be interested in offering work opportunities to refugees. Our sense is that prospective employers have become less likely to offer employment to migrants in recent years - perhaps due to lack of understanding about evidencing immigration status or due to fear of breaching the increasingly restrictive laws relating to work permission. This reluctance is likely to be exacerbated by the chilling effects of the Nationality and Borders Act and the Illegal Migration Bill.

Access NI requirements are often a barrier to asylum seekers obtaining volunteering opportunities and to refugees obtaining paid employment. To date, Access NI has not published any guidance on how refugees can navigate the requirements. Guidance would improve clarity and lessen the risk of inconsistency. Further, the NARIC process, whereby qualifications can be transferred, can also be difficult for refugees.



Our Employment recommendations

The Executive Office should:

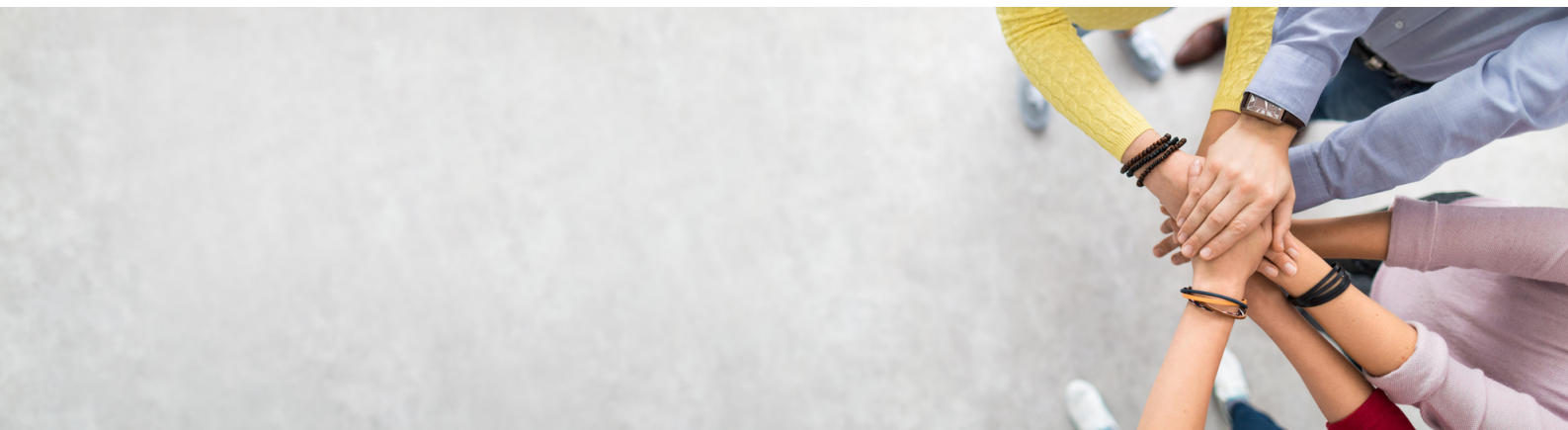
- press the Home Office to grant all asylum seekers permission to work;
- obtain clarity from the Home Office about how any earnings impact asylum support.

The Executive Office and the Department for the Economy should:

- develop careers pathways for refugees into skilled employment in Northern Ireland (as there are in Scotland and Wales);
- provide assistance to refugees wishing to transfer their qualifications and/or requalify;
- provide training for employers and organisations on hiring and accommodating refugees and asylum seekers in the workplace. This should include developing apprenticeship programmes;
- develop structured and accredited volunteering opportunities for asylum seekers as a means to help retain skills and promote integration;
- seek to track the employment of refugees as a means to inform employability programmes.

Access NI should:

- publish a guide on how to apply for Access NI checks for refugees and asylum seekers;
- review its processes and procedures to ensure that asylum seekers and refugees are not inadvertently put at risk when trying to comply with administrative procedures.



Health and social care

Quality health services are particularly important for people seeking sanctuary. Research indicates that asylum seekers and refugees are more likely to experience poor mental health than the local population, including higher rates of depression, PTSD and other anxiety disorders. The increased vulnerability to mental health problems that refugees and asylum seekers face is linked to pre-migration experiences (such as war) and post-migration conditions that are exacerbated by hostile environment policies. Research also shows that asylum seekers are five times more likely to have mental health needs than the general population and yet are much less likely to receive the support they need. The experiences of the Forum members chime very closely with the research.

There appears to be little investment in refugee health in Northern Ireland. Whereas there are specialist health services for victims of torture in Britain and the Republic of Ireland, there are no comparable services here. This has an adverse impact on patient health and also makes it extremely difficult for asylum seekers to obtain the medico-legal expert reports that would provide corroborating evidence in an asylum claim. Further, given the high prevalence of trauma within refugee communities, it is difficult to comprehend that they are effectively barred from accessing the Northern Ireland Regional Trauma Network: this service is only available to Northern Ireland conflict-related trauma. Where services are available, they are not always culturally competent.

Getting through to a GP can be difficult for the wider population, however asylum seekers and refugees experience particular barriers. Since Covid-19, most GP practices operate a telephone triage for appointments. This requires the patient to have both sufficient English language skills and phone credit. Where asylum seekers and refugees cannot secure appointments, they often go to the voluntary and community sector for help, which can place real pressures on small organisations. Access to dental care is also a particular challenge, which can sometimes be attributed to delays/problems with asylum seekers obtaining their HC2 certificates. Also, due to a lack of understanding of how dental care works, some asylum seekers and refugees have incurred costs, which they have then not been able to pay. Again, these debts are likely to fall to the voluntary and community sector.



The low rates of asylum support mean that some asylum seekers cannot even afford to attend health appointments. While in theory, asylum seekers are eligible to be reimbursed for hospital transport costs, in practice, this service is not accessible.

The asylum support system makes scant recognition of the difficulties experienced by people who have health conditions and/or disabilities due to lack of financial support. It is worth noting that disability social security benefits - such as Personal Independence Payment - is not available to asylum seekers.

The policy of 'enforced destitution', which affects refused adult asylum seekers, combined with the lack of published guidance on migrants' access to social care leads to homelessness and destitution and risks exploitation. In some of these cases, the HSC Trusts may have a legal responsibility to accommodate under human rights/community care legislation, however there is no clear process through which an asylum seeker can request an assessment of need. Likewise, there is no clear process whereby newly arrived asylum seekers who have care needs can request support from Social Services as per national Home Office guidance.

Belfast City Council's decision to provide free gym membership to asylum seekers is greatly appreciated by people in the asylum system. In addition to improving physical health, this is likely to have a positive effect on mental health. We invite other Councils to adopt similar measures.

We are aware that there are a small number of children in asylum hotels who are not with a parent or legal guardian. Despite this, they are not recognised as 'separated children' and therefore are not entitled to the relevant support services. This practice does not appear to comply with the 'best interests' principle.



Health and Social Care recommendations

The Department of Health should:

- ensure that a vulnerability assessment is carried out on all new arrivals by a Health and Social Care professional. This should include mental health screening as well as any potential vulnerabilities associated with, for example, gender or sexual orientation;
- ensure that GPs and healthcare providers receive training on making their services more accessible to asylum seekers and refugees. Furthermore, the providers of mental health services should diversify their counsellors and therapists to better meet the needs of different minority communities;
- expand the NI Regional Trauma Network and associated services so that asylum seekers and victims and survivors of human trafficking can avail of specialist support;
- establish a specialist support service for victims and survivors of torture and ensure the availability of experts who can write medico-legal reports;
- recognise children without a parent/legal guardian as 'separated' so that they can benefit from the Independent Guardian Service. As a minimum, keyworker support should be allocated;
- publish guidance without further delay that outlines how destitute migrants can be assessed for support by the HSC Trusts under the 1972 Order;
- work with Mears to develop a screening process whereby asylum seekers who are entering the asylum support system, as well as those who are due to be evicted from asylum support, can be promptly screened and assessed to identify HSC Trust duties.

The Executive Office should:

- work with the Department for Communities, the Department of Health and the Department for Infrastructure to develop a support package for asylum seekers who have health conditions and/or disabilities, especially where they are children involved. This could include:
 - access to the Healthy Start Scheme;
 - free public transport for asylum seekers and for their carers.

Councils should:

- follow the approach of Belfast City Council and make free gym membership available to asylum seekers living within their Council area.

Education

The majority of asylum seeker and refugee children have experienced considerable disruption to their education. Sustained efforts are needed to aid their educational progress. Yet, refugee education does not seem to be a priority for the Department of Education: its policy for 'newcomer' pupils is 14 years old and makes no reference to the concept of 'interrupted' education. The Department consulted on this in 2019 but this does not seem to have progressed. As a result, even accessing the Northern Ireland curriculum is a daily challenge for many pupils. The absence of departmental guidance leaves schools and teachers with little direction.

Parents and children often have little understanding of the education system and is compounded by lack of language skills. There is no formal assessment of family needs and not all schools use the interpretation services to allow parents to get involved with children's education. Caring for children through conflict and displacement can be challenging for any parent: there is a need to develop programmes that provide parents with tools and strategies to support children, especially those who have experienced trauma.

The EANI Schools Trauma, Advisory and Referral Service (STARS) has provided invaluable support to trauma-experienced children. In the context of budget cuts, this essential service should be protected and its capacity increased.



Lack of school places is a huge problem and particularly impacts on children living in asylum hotels. Early years support and nursery places are almost impossible to secure. The efforts of the EANI Intercultural Education Service are welcome, however they are insufficient to counter the problems caused by Home Office policies that adversely impact on education. An example is that accommodation is offered on a 'no choice' basis meaning that families may move house a number of times, which results in children having to move schools or travel considerable distance, impacting on their friendship networks. There is a cohort of children who, for various reasons, the upheaval of a school move is likely to be detrimental. In these situations, free school transport should be offered as a means to ensure continuity.

During the Covid-19 school closures, the EANI provided digital devices and six months free internet to all school-age asylum seeker children. This was very welcome. Digital exclusion significantly hampers children's education and members invite the Department of Education and EANI to build on this scheme and ensure that children have digital access.

Education provision is patchwork and is neither strategically connected nor adequately funded. A serious concern is the lack of strategy or investment in education for refugee and asylum seeker young people aged 15 and upwards. These young people rarely obtain school places and then struggle to find appropriate college places or English classes. This seriously diminishes their future prospects and is inevitably going to result in an increasing cohort of young people who feel disenfranchised and excluded from wider society. Members stress the need for creative policymaking that harnesses good practices from the Republic of Ireland, Scotland, Wales and further afield, including the ESOL Plus programme.



Our Education recommendations

The Department of Education and/or the Education Authority (EANI) should:

- update its Newcomer Pupils policy to include a focus on the challenges of 'interrupted' education and measures to support literacy skills;
- as a matter of urgency, develop measures to support the education of children and young people aged 15+years. This should include intensive English language learning and apprenticeships;
- make provision for cultural competence training for all education staff to ensure all students, regardless of status, are treated with respect and understanding;
- ensure that all schools can provide interpretation services for both children and parents;
- invest in the expansion of the STARS programme and make Transitional Support available in schools to children who have experienced traumatic life events;
- develop parenting programmes to help parents support their children's education;
- develop programmes to provide early years support in asylum hotels to improve school readiness and support children reach developmental milestones;
- support the professional development of teachers;
- revise the School Transport policy so that there is flexibility for asylum seeker children for whom a school move would be detrimental;
- invest in digital inclusion and ensure that all school age asylum seeker children have access to a digital device and internet credit;
- improve provision to identify and support asylum seeker and refugee children who have additional education needs;
- encourage schools to hire bilingual teachers and support staff where possible;
- create structures to involve the children of asylum seekers and refugees in education policy and curriculum.



Adult Education

Opportunities for adult refugees and asylum seekers to further their education and acquire new skills are limited.

English language skills are so important for integration. Having language skills enables people to volunteer, obtain employment, participate in their child's education and play a more active role in society and public life. Therefore, English for Speakers of Other Languages (ESOL) should not be seen through the narrow lens of Further Education (FE) policy: it is an essential plank of integration policy.

Regrettably, Northern Ireland does not have an ESOL strategy. While there is a huge appetite for English language classes provided at FE colleges, demand significantly outstrips the availability of places. Lack of childcare and assistance with transport costs mean that women disproportionately struggle to access ESOL. There is a huge reliance on voluntary and community organisations for English classes, especially by learners who lack the formal education or confidence to access ESOL in an FE setting.

With regards Further Education courses, it is noted that Belfast Metropolitan College does designate asylum seeker students as 'home students'. This is very welcome and we would ask other FE colleges to adopt similar measures.

Over the years, there have been many refugee skills development initiatives - usually spearheaded by voluntary and community sector organisations - that have provided qualifications such as City and Guilds. Due to funding constraints, these initiatives tend to come and go and good practice gets lost. There is an opportunity for a more coordinated approach that learns from and builds on such initiatives.

A university education is out of reach to most asylum seekers as they are not treated as 'home students' for purposes of Higher Education and are not eligible to receive student finance. The lack of study opportunities is hugely demoralising for teenagers in the school system: what is the point of trying at school when you cannot go to university or get a job?

While Queen's University and Ulster University offer bursaries to asylum seeker students, only a tiny number of asylum seekers benefit each year. For those asylum seekers who are offered places, meeting the admissions criteria can be difficult. A problem arises where the prospective student cannot provide evidence of their qualifications and cannot obtain it from their previous academic institution without putting loved ones at risk. On such occasions, we would invite QUB and UU admissions to be more flexible and to consider other ways to assess a prospective student's suitability for the course.

Our Adult Education recommendations

The Department for the Economy should:

- develop an ESOL strategy in close consultation with asylum seekers, refugees and relevant voluntary and community organisations;
- explore the development of apprenticeship programmes which follow a dual language and vocation model whereby refugees can continue to learn English while they work and improve their skills;
- amend legislation so that asylum seekers are treated as 'home students' for purposes of Further and Higher Education.

Queen's University Belfast and Ulster University should:

- expand their bursary programmes to enable more asylum seeker students to go to university;
- revise their admissions requirements to provide flexibility in cases where prospective students cannot provide the necessary evidence;
- develop field-specific bridging programs to allow asylum seekers and refugees to swiftly resume their previous studies.

The Department for the Economy and the Executive Office should:

- make provision for free childcare and assistance with transport costs for asylum seeker students attending ESOL classes;
- provide more funding for community-based ESOL.

The Executive Office should:

- consider establishing a Skills and Development Sub Group to the Racial Equality Panel.



Human Trafficking

There has been a significant rise in the number of potential victims of human trafficking identified in Northern Ireland in recent years, increasing ten-fold from 52 in 2019 to 547 in 2022.

Members concerns include:

- the lack of awareness among both public and private sectors on the indicators of human trafficking and on how to respond to potential trafficking cases;
- the shortage of lawyers with dual expertise in human trafficking and immigration;
- the inadequacy of accommodation for victims who have concurrent asylum claims;
- the paucity of National Referral Mechanism (NRM) payments;
- lack of specialist support for those who have experienced trauma;
- we are also extremely worried about the impact of the Illegal Migration Bill and fear that the Bill actually serves the traffickers: it exacerbates the vulnerability of victims, and gives perpetrators more control.

Policy relating to asylum and human trafficking is developed by two different departments - the Executive Office and Department of Justice - and yet in practice there is much overlap and joint interventions is necessary to effectively tackle the issues. An example of the current disjointed approach is the lack of Northern Ireland government initiatives to protect asylum seekers from the policy of enforced destitution. When asylum seekers are evicted from their asylum accommodation and have no means to support themselves they are at very real risk of exploitation.

Once recognised as a survivor of human trafficking (i.e. the NRM is concluded), a person may find that in actual fact few remedies are available to them. For example, while in theory the Criminal Injuries Compensation Scheme is available to all victims and survivors of modern slavery, in practice, few individuals are able to avail of it.



Further, most migrant victims of labour exploitation are effectively barred from obtaining labour justice due to the rigid doctrine of illegality in the Industrial Tribunal. Members note that justice and employment are both 'devolved' matters and so this barrier could be addressed.

Our Human Trafficking recommendations

The Department of Justice should:

- consider assigning more First Responders to the NRM in Northern Ireland;
- work with the Law Society to provide more training on human trafficking legislation for immigration practitioners;
- encourage discussions on introducing a Trauma Informed Practice within the legal profession;
- adopt measures to improve access to compensation for victims and survivors of trafficking.

The Executive Office and the Department of Justice should work together to:

- safeguard Northern Ireland's framework of protection/ support for victims and survivors in the context of the Illegal Migration Bill;
- examine the links between asylum and trafficking;
- mitigate the policy of 'enforced destitution' as a means to help protect refused asylum seekers from exploitation;
- provide information and training on human trafficking concepts and indicators to support organisations that typically work with asylum seekers and refugees.

The Department of Health should:

- expand the NI Regional Trauma Network and associated services i.e. to make them accessible to victims and survivors of human trafficking.

The Department for the Economy should:

- ensure that victims and survivors can access labour justice through the Industrial Tribunal.

Immigration Advice

Quality immigration advice plays a critical place in the asylum legal process. Unfortunately immigration legal services are not always accessible to refugees and asylum seekers. This is largely due to the lack of specialist immigration solicitors especially outside Belfast. The restrictions on providing immigration advice mean that migrant support organisations and/or generalist welfare advice organisations cannot usually assist.

While in recent years the number of asylum seekers arriving in Northern Ireland has increased significantly, the number of immigration law practitioners has not. One member described this situation as a "ticking time bomb". The legal professionals who provide immigration advice are vastly overstretched: the current legal aid rates are not adequate to sustain the profession or encourage lawyers to train in immigration law.

In addition to concerns about the availability of advice, members highlight issues about the *quality* of advice. This is a particular concern given that asylum seekers are increasingly being accommodated in towns outside of Belfast i.e. in areas where solicitors have not typically specialised in asylum. Up until now, the Law Society has still resisted calls to introduce a quality standard for Legal Aid funded immigration work - as is the case in Britain.

Members are aware of cases of asylum seekers being charged for immigration advice. This is really concerning as asylum seekers may decide to forgo their right to legal advice or may feel compelled to resort to unlawful measures (e.g. having to work without permission) in order to pay the fees.

Where quality immigration advice is not available, the risk is that people make ill-informed decisions. This is likely to result in a much prolonged asylum journey.

It is in everyone's interests that asylum seekers receive timely and quality immigration advice. However, no government department or agency has taken the lead to address current problems. One option would be to support the capacity of community organisations to provide immigration advice to their own members within a community setting. Within the refugee community there are a number of qualified and experienced lawyers who would be very keen to be able to practice in Northern Ireland if they were assisted to transfer their qualifications.



Our Immigration Advice recommendations

The Executive Office should:

- seek agreement from the Home Office that substantive asylum interviews can be postponed in situations where the asylum seeker has been unable to access legal advice;
- work with the Law Society to introduce a quality standard for Legal Aid-funded immigration work;
- adopt measures with the Law Society to protect asylum seekers being charged for immigration advice;
- work with the Department of Justice to increase the provision of immigration advice services within the voluntary and community sector, including by training immigration advisers from within refugee and migrant communities;

The Department of Justice should:

- increase Legal Aid rates for immigration cases as a means to ensure sustainability within the sector.

Queen's University and Ulster University Law Schools and Institute should:

- promote immigration law to students.

The Law Society should:

- communicate to its members asylum seekers' eligibility for Legal Aid;
- lead discussions on introducing a Trauma Informed Practice within the legal profession;
- develop supported pathways into the law profession for qualified refugee lawyers.

The Ukraine Scheme

The Northern Ireland Executive has adopted a number of welcome measures - such as the Ukraine Assistance Centres - to support newly arrived Ukrainian refugees. These measures should now be expanded to other persons seeking sanctuary.

Ukrainians should be recognised as refugees rather than "evacuees". Refugee status provides clear legal entitlements, which are not always available to Ukrainians. For example, whereas refugees have a clear pathway to settlement, Ukrainians do not. This creates a lot of uncertainty for Ukrainians' future in Northern Ireland.

It is worth highlighting that Ukrainians face most of the same challenges to integration as any other refugees e.g. barriers in obtaining suitable work or getting qualifications recognised.

While there are positive aspects of the Ukraine Scheme, it is not without risk. Members are worried about exploitation in employment and are also worried about women and children living with unsuitable sponsors. Compared to the keyworker service available to Syrian VPRS refugees, Ukrainian refugees receive very little ongoing support from government. The checks on sponsors and placements are relatively 'light touch'. We are not convinced that these checks are sufficient to keep Ukrainians safe from harm.

The Ukraine Scheme has shone a light on the poor conditions that some Ukrainians are working in - particularly in the agri-food sector. Some welcome measures have been adopted to support Ukrainians working on mushroom farms, but overall the government response is lackluster. Further, we are not aware of any efforts to support workers of *other* nationalities who are no doubt working in equally difficult conditions on the same farms. The Ukraine Scheme offers a real opportunity for labour enforcement agencies to use their powers to enforce positive change that will benefit workers for years to come. We urge government departments to grasp this opportunity.



Our Ukraine Scheme recommendations

The Executive Office should press the UK Government to:

- extend the Ministerial Authorisation that underpins the 'sympathetic approach' towards Ukrainians fleeing the war;
- recognise Ukrainians as refugees and award them the same support, resources and rights as any other refugee;
- agree a pathway to settlement for Ukrainians which will provide stability and will allow people to make informed decisions about their future;
- provide an assurance that Ukrainians arriving via the Republic of Ireland will not face any detriment as a result of their route of arrival (e.g. when making subsequent visa applications).

The Executive Office should:

- introduce additional checks to ensure that Ukrainian refugees are content with and feel safe in accommodation provided by Homes for Ukraine hosts;
- deliver on its commitment to fund a dedicated and accessible support service to deal with the complex needs of some Ukrainian families;
- host a discussion about how to expand some of the good practice developed through the Ukraine Scheme to other refugees e.g. the Assistance Centre model, the £200 welcome payment, translated information/NI Direct and sponsorship support.

The Executive Office, Northern Ireland government departments and labour enforcement agencies should:

- take more steps to protect Ukrainian workers from labour exploitation including: providing accessible information on employment rights; monitoring employers' compliance with employment law especially sponsorship license holders; and take proactive steps to protect non-Ukrainian migrant workers experiencing the same poor living/working conditions as Ukrainian workers.

Hong Kong BN(O) visas

In January 2021, the UK adopted a new visa route for British National (Overseas) status holders and their immediate family members. In essence, this is a visa for people leaving Hong Kong following China's passing of the Hong Kong National Security Law and the rapid deterioration of human rights protections.

Although BN(O) visa applicants are fleeing oppression and although the UK Government regularly cites the BN(O) visa as an example of a 'safe and legal' route to protection, the Hong Kong scheme is separate to the asylum system and recipients are not granted refugee status. This means that many of the rights and entitlements usually afforded to refugees are not available to people fleeing Hong Kong.

By way of example, BN(O) visa holders in Northern Ireland are not entitled to free ESOL classes provided at adult education colleges, nor are they entitled to 'home fees' status if they wish to go to university. Moreover, BN(O) visa holders must pay substantial fees for the visa and associated health surcharge; for a five year visa, the fees amount to almost £3,500 per person. While BN(O) visa holders are entitled to work, they are not eligible to apply for means-tested social security benefits such as Universal Credit, which risks financial hardship for those who are unable to work. Such fees and restrictions are more commonly associated with economic visas (e.g. work permits), rather than humanitarian visas.

It is estimated that approximately 2,000 people from Hong Kong have settled in Northern Ireland under this visa scheme. For the younger BN(O) visa holders, a key concern is the cost of education: many would like to resume their disrupted studies in Northern Ireland, however the fees are prohibitive. For older BN(O) visa holders, who may have fewer English language skills, a key concern is meeting the English language and 'Knowledge of Life in the UK' requirements necessary to obtain settlement. It is noted that 'regular' refugees and people granted status under the Ukraine and Afghan schemes are exempt from these restrictions. These requirements stand in the way of people obtaining durable status.

NI Direct contains some limited information for people from Hong Kong who move here. Beyond this, there is no specific support service available to visa holders in Northern Ireland. Whereas NILGA/NISMP initially funded a BNO Project Co-ordinator, this position is now vacant and it is unclear whether this project will continue.

BN(O) is a form of British nationality: status-holders are entitled to a British passport and to receive consular assistance from UK diplomatic posts. Despite this, Hong Kong BN(O) visa holders are subject to immigration controls and have no access to British citizenship other than through the usual naturalisation process. There is a strong feeling among some members of the Hong Kong BN(O) community in Northern Ireland that this amounts to racial discrimination.

Our Hong Kong BN(O) recommendations

The Executive Office should:

- advocate that the UK Government affords BN(O) status holders citizenship rights;
- advocate that the Home Office removes the BN(O) visa fee, NHS surcharge and the English language/ Knowledge of Life requirements for settlement applications;
- ensure that an effective support service is available for BN(O) visa holders arriving in Northern Ireland including through the re-establishment of the BNO Project Coordinator role;
- develop measures to inform BN(O) visa holders that it is possible to apply to lift the No Recourse to Public Funds (NRPF) restriction, including by updating NI Direct.

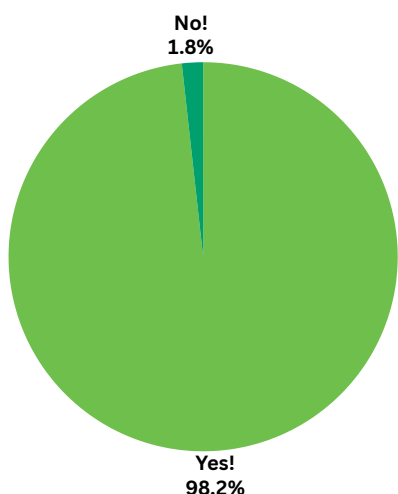
The Department for the Economy should:

- provide BN(O) visa holders access to free ESOL classes at FE colleges;
- treat BN(O) visa holders as 'home fees' students for purposes of Higher Education.



RAF survey findings

At the RAF Gathering 2023, we took the opportunity to seek views of attendees on the role and future of the Refugee & Asylum Forum.

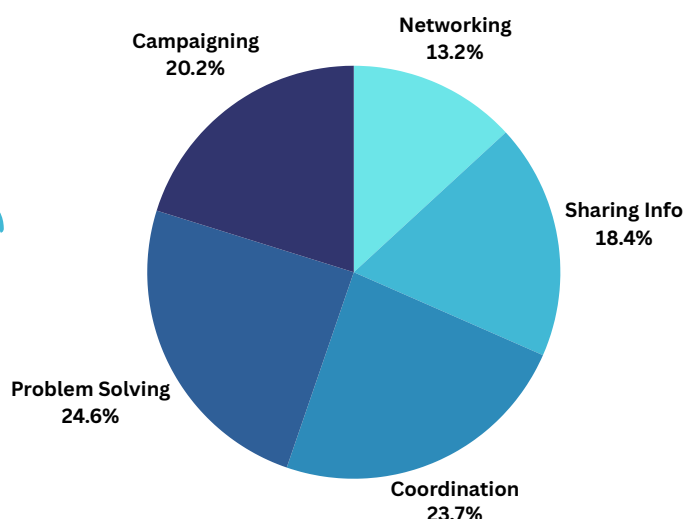


Q. RAF has been meeting for over 10 years. Is there a need for it to continue?

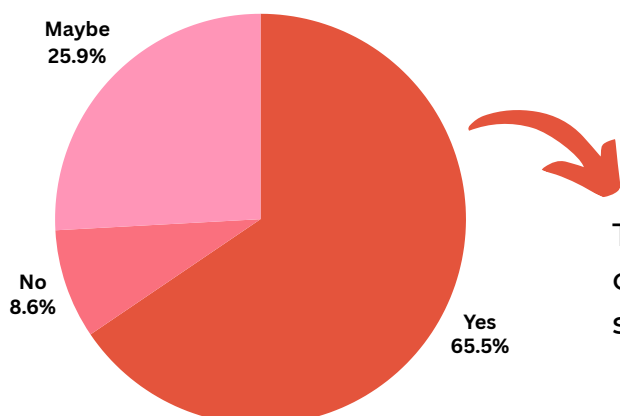
There is a clear demand for the Forum to continue meeting.

Q. What is the main function of RAF?

Members feel the Forum's strengths cover five key areas. Problem solving received the highest number of votes and is indicative of a strong desire for collaboration to identify problems and solutions.



Q. Would you be interested in joining a Google Group, message board or similar where support organisations can ask each other questions and give answers?



There is a strong desire for RAF to build on its coordination role, to increase cooperation and share learning across the sector.

Event feedback



Government/statutory respondents think that their work is informed by the work of the Refugee and Asylum Forum.



Respondents made new connections.



Respondents think that discussions at the Refugee and Asylum Forum help to identify problems and propose solutions.

"I thought the RAF Gathering 2023 was a great idea and hopefully it will incorporate recommendations to develop further"

"I would be very keen to be more involved in the work of the forum"

"A really important event, thanks for organising"

"There is a clear opportunity to harness the various skills and expertise of a large number of people and use RAF as a focal point for energy to push for some necessary changes"

"It was a well organised event with opportunities for networking and sharing of knowledge"

"I wish all involved success in advancing the agenda for change developed at the Gathering"

"It was an amazing event and looking forward to attending another one"

Contributing organisations

ACSONI	Fane Street Primary School
Advice NI	Flourish NI
Alghochak- Afghan Organisation N Ireland	HAPANI
All Nations Ministries	Holyland Our Voices
Anaka Women's Collective	Homeplus
Barnardo's Independent Guardian Service	Hong Kongers in Northern Ireland
Belfast City Council	Migration Justice Project / Law Centre NI
Belfast City of Sanctuary	LORAG
Belfast Health and Social Care Trust	Migrant Help
Belfast Metropolitan College	NIACRO
Belfast Unemployed Resource Centre	NI Human Rights Commission
Bomoko NI	NI Somali Association
British Red Cross	NI Hyatt
Bryson Care - NIRRC	PPR
CAJ	RASNI-Voices
Community Foundation NI	Simon Community NI
Conway Education Centre	STEP
CRAICNI	Storehouse Belfast
East Africa Youth NI	Stronger Together Network
East Belfast Mission (EBM)	The Executive Office
Education Authority NI (IES)	Together CIC
Equality Commission NI	Ukrainians in NI
ERANO	Volunteer Now
ESOL NI	Wellbeing Clinic Belfast
Extern	Windsor Women's Centre
Family Support Hub South Belfast	YMCA North Down

Acknowledgements

In relation to the RAF Gathering 2023, Law Centre NI would like to thank:

- Belfast City of Sanctuary for co-hosting and presenting at the event;
- RASNI Voices for their presentation;
- Belfast City Council and the Executive Office for financial support;
- 2 Royal Avenue for the superb venue and Yallaa for the delicious food;
- Stephanie Mitchell from Together;
- Cora Flanagan for drafting this report.

And finally, we would like to thank:

- Denise Wright for convening the Refugee and Asylum Forum 2012-2022;
- All members of the Refugee and Asylum Forum past and present for working together to secure progressive change.



Report compiled and produced by
Migration Justice Project
at Law Centre NI
© 2023

