

## **London Destitution Advice Network**

### **Draft terms of reference – Jan 07**

#### **Why?**

In November 2006, Refugee Action published its report *The Destitution Trap*. The destitution of “failed” asylum seekers seems to be reaching crisis point with up to 285,000 people not being able to leave the UK who have no access to support or employment. The report also highlighted continuing confusion and lack of information on section 4 as well as support available from the local authorities. This suggests that there might be an unknown number of “failed” asylum seekers who qualify for support but are remaining destitute unnecessarily because they are not aware of their options and entitlements.

It is estimated that it will take up to 15 years before the current number of “failed” asylum seekers can be assisted to return to their country of origin. This means that unless something practical is done now, many thousands of “failed” asylum seekers will remain destitute for many years to come. However, these people need food and shelter now.

ASAP believes that the existing expertise and resources amongst advice agencies, refugee community organisations and others working with “failed” asylum seekers can be utilised to increase these individuals’ access to support either from NASS or the local authorities. Advice sector’s services for “failed” asylum seekers can be improved and strengthened by sharing information and advice, and above all, working together.

In December 2006, ASAP contacted 10 London based agencies who are giving advice to destitute asylum seekers about a possibility of meeting to discuss what can be done to improve “failed” asylum seekers’ access to support. All of them were in favour of such meetings. In the meantime, the City Parochial Foundation has generously offered one of its rooms for free for such meetings. The first meeting is to take place on 24 January 2007.

(In this document, the term advice agency is used to indicate any agency giving advice to any category of destitute “failed” asylum seekers. This can be a generic advice agency, a refugee community organisations or an organisation specialising in working with asylum seekers, homelessness and those with specific medical problems etc.)

**Aim** To reduce the destitution of “failed” asylum seekers in London who are entitled to receive support either from NASS or the local authorities

#### **Objectives**

To identify which agencies are providing asylum support information, advice and/or advocacy for “failed” asylum seekers (both section 4 and community care support) and in which part of greater London

To identify areas of greater London where “failed” asylum seekers might experience difficulties accessing advice and find solutions (signposting, training etc)

To share up-to-date information about different types of support for “failed” asylum seekers as well as common difficulties in order to improve the quality and quantity of destitution advice available in London

To create better communication between different advice agencies in order to develop an effective referral network in London which will complement each agency’s work

To identify common training needs for advice agencies and facilitate training

To identify specific barriers which are preventing vulnerable “failed” asylum seekers from getting support and find out what joint action can be taken to influence asylum support policy

To inform other networks and service providers details of advice agencies who can provide asylum support advice to “failed” asylum seekers in London

### **Profile of participating advice agencies**

The London Destitution Advice Network recognises that each advice agency provides its own unique service. This might be shaped by its history, structure, location, existing expertise and resources and other factors. The Network wishes to add value to each agency’s work by encouraging collaborative working such as referrals and sharing good practice which will complement each other’s work.

The network acknowledges that a participating advice agency has expertise in one, two or more of the following areas.

Provide correct and accurate information about section 4 and/or community care

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Provide advocacy in terms of

Dealing directly with the NASS section 4 team

Dealing directly with social services

Completing a Notice of Appeal for NASS appeals

Responding to directions from the Asylum Support Adjudicators (ASA)

Providing representation for paper appeals at the ASA

Providing representation during oral hearings at the ASA

Challenging local authorities’ decisions not to provide support

Any other practical support for destitute asylum seekers

### **Membership**

Any advice agency which meets the profile above and can participate in the Network co-operatively can become a member. The Network would like to ensure a fair geographical spread and encourage three agencies from each area (Central, North, South, East and West) to be a part of the Network. However, the Network acknowledges the difficulty of identifying just exactly how many destitute “failed” asylum seekers live in which London borough.

### **Structure**

The Network is an informal group and does not have any formal structure. In the initial stage, ASAP will co-ordinate, chair and take minutes of the Network meetings. The current contact person is

Eiri Ohtani, ASAP Co-ordinator ([Eiri@asaproject.org.uk](mailto:Eiri@asaproject.org.uk), 020 8684 5873).

Once the Network is established and its key members are identified, meetings should be chaired on a rotational basis.