



Policy Briefing: refugees and people seeking asylum

About the British Red Cross

The British Red Cross is the biggest independent provider of support and advice to refugees and people seeking asylum in the UK. Every year we help over 32,000 people at all stages of the asylum process including providing food and clothing to 13,000 refugees and helping to reunite almost 1,000 separated families. The British Red Cross has destitution services in 58 towns and cities across the UK, providing basic support to those not in receipt of any support from statutory services.

i Global context

There are over 24 million refugees worldwide. Every day 44,000 people are forced to flee their homes as a result of conflict and persecution. This movement of people within and across borders is creating significant policy challenges for governments across the world, and is linked to enormous humanitarian needs. From our response to the refugee crisis in Cox's Bazar, Bangladesh, to our work providing humanitarian assistance along migration routes in West Africa, the British Red Cross is working to help to meet the needs of refugees and vulnerable people across the globe. Our ambition is to ensure that refugees and those who have been forcibly displaced are appropriately supported at all stages of their journeys; and that irrespective of their legal status, their basic needs are met and fundamental rights protected, and they are treated with dignity, humanity and respect.

i Who is a person seeking asylum?

A person seeking asylum has normally left their own country due to war, persecution or violence and has requested sanctuary in another country. Their application to receive legal protection is yet to be processed.

i Who is a refugee?

A refugee is someone who has been forced to flee his or her country and has been recognised as having a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular social group. They have been granted special legal protection on this basis. War and ethnic, tribal and religious violence are leading causes of refugees fleeing their countries.

Expanding refugee family reunion

Once an adult has been recognised as a refugee in the UK, they are able to sponsor their spouse/partner to join them, as well as their children. However, this is not the case if their child is over the age of 18. Similarly, a child who has been recognised as a refugee in the UK does not have the right to sponsor even their closest family members to join them.

Our report *[Not So Straightforward](#)* uncovered a myriad of issues faced by both refugee sponsors and applicants in the UK to be reunited with their family abroad, including gathering documentation, submitting applications and eligibility.

The application process for refugee family reunion was made harder still after legal aid was withdrawn from the system in 2012 under LASPO* rules. The British Red Cross, as part of the Families Together Coalition (Amnesty UK, Refugee Council, Oxfam, UNHCR and others) have been working to support the Family Reunion (Refugee

No.2 Bill which would expand eligibility criteria and bring back legal aid for applications.

* Legal Aid, Sentencing and Punishment of Offenders Act 2012

British Red Cross recommendations

1. Give adult refugees the right to sponsor their parents, siblings and children up to the age of 25 to join them in the UK under family reunification rules.
2. Give child refugees the right to sponsor their parents as well as any siblings up to the age of 25 to join them in the UK under family reunification rules.
3. Reintroduce legal aid for family reunion applications.

Extending the move-on period

When a person is recognised as a refugee in the UK, having successfully applied for asylum, they are granted a 28-day grace period to “move-on” from support provided by the Home Office. Within this timeframe, refugees must open a bank account, find alternative accommodation, apply for and arrange receipt of benefits and/or find a job.

In 2018, the British Red Cross published *[Still an Ordeal](#)* which found that 28 days simply is not long enough to make this transition successfully. The minimum 35-day delay to receive a first Universal Credit payment is incompatible with the 28-day move-on period and has made it almost inevitable that refugees will be left without support. Drawing on the experience of 26 refugees, the report showed how all those surveyed were left without food and shelter due to delays and mistakes in receiving documentation, barriers to opening bank accounts, and difficulties in accessing welfare. One person was unable to meet even their most basic needs for a period of 72 days. As a result, many refugees fall between two systems – immigration and welfare – and into crisis.

British Red Cross recommendations

1. Extend the move-on period to 56 days to ensure that fewer newly recognised refugees are left destitute.
2. In order to avoid unnecessary delays the requirement to enter a National Insurance Number and bank account details to submit a Universal Credit application should be removed.
3. The Home Office should work with high street banks to make it easier for newly granted refugees to open bank accounts.
4. The Government should publish evaluation data on the Post Grant Appointment Service, which was set up to speed up the benefit application process for newly recognised refugees.

Ending indefinite detention

The UK is the only European country where people can be detained in an immigration removal centre indefinitely. In 2018 some 24,748 people were held in UK immigration removal centres. At any time around 2,500 people are detained under immigration powers for the purposes of removing them from the UK. However, more than half of those people are not removed and are instead released back into their communities. These individuals held are in administrative detention for immigration purposes.

Once released, people can also be subject to the process of immigration reporting which involves regular, mandatory attendance at an immigration reporting centre while their immigration status is insecure. Many have to report as frequently as every two weeks, and others more frequently.

The British Red Cross interviewed 26 service users for our report *[Never Truly Free](#)* which captures the human impact of being detained. The report offers a first-hand perspective on the harm, particularly mental, caused by detention and how this continues long after a person has been released. People supported by the British Red Cross travel long distances and as our

research illustrated, the constant fear of reporting and being re-detained without forewarning can have a severe impact on that person's mental health and wellbeing.

British Red Cross recommendations

- 1. Only ever use detention as a last resort. If completely necessary it should be for shortest time possible and never longer than 28 days.**
- 2. Never detain vulnerable people for instance, pregnant women, survivors of torture or those that have been trafficked.**
- 3. Replace systems of detention and reporting with end-to-end, case management-led, community-based alternatives.**
- 4. Overhaul the overly onerous and traumatic experience of immigration reporting; never detain people when they go to report.**

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If you have any questions about any of the information contained in this document or would like to discuss further please contact Tom Nguyen, Public Affairs Officer: by email thomasnguyen@redcross.org.uk or by phone **0207 877 7343**.