



WOMEN FOR REFUGEE WOMEN

Will I ever be safe?

Asylum-seeking women made destitute in the UK

by Priscilla Dudhia

About Women for Refugee Women

Women for Refugee Women (WRW) challenges the injustices experienced by women who seek asylum in the UK. Our vision is a society in which women's human rights are respected and in which they are safe from persecution. Our mission is to ensure that women seeking asylum in the UK are treated with justice and dignity.

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Our deepest gratitude goes to the women who shared their stories of destitution. We salute your strength and courage.

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A note on names and photography used throughout this report

All names given to destitute asylum-seeking women throughout this report have been changed for the women's safety.

The photography within this report is by asylum-seeking women with personal experience of destitution, except where stated otherwise.

Cover photo: She feels invisible, by Jeancy

"She is lost. She doesn't know where she is or where she is going.

Everyone is walking past her, caught up in their own thoughts.

Maybe she needs some money to go somewhere for help, maybe she needs to buy food. She is hungry.

When you are homeless, no one pays any attention to you. They don't care. You feel invisible."

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Executive summary

Women for Refugee Women (WRW), together with our partners, **spoke with 106 asylum-seeking and refugee women from across England and Wales to hear how they have survived after being forced into destitution.** Destitution is defined here as having no right to work, and no housing or financial support.

Women were made destitute at different points during their asylum journey. But the vast majority who participated in this research became destitute after their asylum claims had been refused. This report explores the effects that enforced destitution has on women who have sought asylum, particularly those women whose claims were rejected, and highlights the urgent need to end this inhumane and ineffective policy. To the best of our knowledge, this report represents the most detailed contemporary account of asylum-seeking women's experiences of destitution in the UK.¹

The women who shared their stories with us came to our shores for safety. **When asked why they left their country, around half of the women said they experienced violence at the hands of state authorities.** Forty-two percent had been tortured and almost a third had been raped by soldiers, prison guards or police. Other women experienced violence by private individuals, such as partners, family or community members, in a situation where they believed their government could not protect them. (It is important to note here that where states fail to protect, violence in the private sphere can be grounds for asylum.) Over a third of women had been raped in the private sphere, with others fleeing forced marriage, forced prostitution, and other forms of gender-based abuse. Overall, **more than three quarters of women had experienced gender-based violence perpetrated either by the state or by private individuals.**² These findings are similar to the findings in WRW's previous research, where two thirds of the women we spoke with had experienced gender-based persecution. We also asked women about their journeys to the UK; almost half of the women in this research had traumatic experiences in the categories we asked about: rape, sexual violence, physical violence and imprisonment.

Yet despite all the trauma that they experience, when they come to this country women struggle to find safety. Women and men who seek asylum

face a culture of disbelief at the Home Office, whose unfair and irrational decision-making is well documented. But women are disadvantaged further because of the inadequate understanding among Home Office staff of the impact of gender-based violence and how this falls within the UN Refugee Convention. Other barriers to fair and accurate decision-making include the decimation of legal aid and the difficulties women experience in disclosing details of sexual violence.

When they are refused asylum and forced into destitution, women often find that their experiences of violence and abuse are compounded. **Over a third of destitute women were forced into unwanted relationships, in many cases leading to sexual and physical violence.** Around 60% of the women who stayed in an unwanted relationship disclosed that they were raped or subjected to another form of sexual violence by their partner. As a result of being homeless, **a quarter of women we spoke with were raped or sexually abused when sleeping outside or in other people's homes.** Fears of deportation and detention, fuelled by information-sharing between public bodies and the Home Office, stopped the majority of those affected from reporting abuse to the police.

Almost a third of the women who had been raped or sexually abused in their home country were then raped again or subjected to further sexual violence while destitute in the UK. Ten women were raped or sexually abused at all three stages: in their countries of origin, when travelling to the UK, and again here after being made destitute. In other words, women who have already survived serious violence are being made vulnerable to further abuse through the policy of enforced destitution.

The cruelty of enforced destitution is also seen in the fact that **almost all of the women in our research felt depressed while living destitute, while around a third had tried to kill themselves.** Destitution is also humiliating, with the vast majority of women saying they struggled to keep clean and access period products. Forcing women into extreme poverty harms their families too; 15% had children they were looking after while they were destitute, and of these more than half said their children went hungry.

Not only is the policy of enforced destitution cruel,

it is also ineffective and even counter-productive. If the policy has any rationale, it is to make life so hard for those seeking asylum in the UK they take steps to leave the country. However, almost all of the 106 women we spoke to said they could not consider returning to their countries of origin because they still felt they would not be safe there. Furthermore, **93% of women said that being destitute negatively affected their ability to think about their asylum claim and plan for a resolution.**

By the time the research was completed 15% of the women who participated already had some form of leave to remain. We would expect that if these women were tracked further we would see rising numbers becoming successful in making their cases and getting refugee status or another form of leave to remain in the UK. If provided with

the ability to support themselves and with quality legal representation, we might see much higher numbers.

People have always moved and will continue to do so, especially when their safety is threatened. But instead of welcoming these courageous women and giving them a fair hearing, our system punishes them for fleeing danger and for wanting to survive. It is time to reshape the political and public discourse, and to replace narratives of hostility and fear with those of empathy and tolerance. It is time to build a fair asylum system in which individuals are supported throughout the process and are able to access quality legal advice. On behalf of the brave women who took part in this research, **it is time to end the policy of enforced destitution.**



Held back, by Antho

"These two people are at a drop-in for destitute refugees, where we can get food and clothes.

You feel so held back, when you don't have papers. I feel I am in a prison. I can't work, I am not allowed to do anything. You just feel so depressed, you go over and over your situation, you want to die. You just have to wait in line to be given things. You can't make your life. You can't move forward.

I want to learn English and set up my own charity, to help widows and orphans. I will not give up. I will go forward."

Key findings

Our findings are drawn from the experiences of women who became destitute in England or Wales after claiming asylum. We have listed below the key areas that our research on destitution explored, and how the women responded. 106 women completed the questionnaires in total, but since not all questions were answered by all women, we have indicated the relevant sample size for each statistic.

Persecution in countries of origin

Of the 103 women who responded:

- ▶ 32% had been arrested or imprisoned.
- ▶ 71% had been tortured.
- ▶ 78% had experienced gender-based violence
- ▶ 59% had been raped.
- ▶ 30% were raped by state authorities.
- ▶ 17% were fleeing forced marriage.
- ▶ 13% were fleeing forced prostitution.
- ▶ 10% were fleeing female genital mutilation (FGM) or the threat of FGM on their daughters.
- ▶ 27% were trafficked within their country of origin or to the UK or another country.

78% of the women had experienced gender-based violence in their country of origin

Reasons for persecution

Of the 103 women who responded:

- ▶ 33% were persecuted because "I am a woman."
- ▶ 23% were persecuted because they were politically active.
- ▶ 16% were persecuted because they are or were suspected of being lesbian or bisexual.

The journey to the UK

Of the 106 women who responded:

- ▶ 45% had experienced rape, sexual violence, torture, physical violence and/or imprisonment.

Experiences while destitute

When women were made destitute

Of the 106 women who responded:

- ▶ 75% were made destitute after their asylum claims were rejected, following an unsuccessful appeal.
- ▶ 29% after filing their initial asylum application and while waiting for Section 95 asylum support to begin.
- ▶ 8% after receiving a form of leave to remain.

How many times women were made destitute

Of the 104 women who responded:

- ▶ 46% experienced destitution more than once, typically before Section 95 support began and following the refusal of an asylum claim.

Food

- ▶ 95% of 105 women who responded were hungry; 27% of women "all the time".
- ▶ 87% of 106 women who responded relied on charities for food.
- ▶ 25% of 106 women who responded begged on the streets/outside for food.

95% of the women were hungry while destitute

Shelter

- ▶ 44% of 106 women who responded slept outside at some point while they were destitute.

Of the 100 women who disclosed information about a place they stayed at:

- ▶ 58% had stayed with other community members, family or friends.
- ▶ 42% were hosted by a charity.
- ▶ 15% were hosted by a church, mosque, synagogue or other faith-based organisation.

Of the 103 women who disclosed information about support:

- ▶ 82% were given small hardship payments by charities to meet their basic needs.

- ▶ 18% begged on the streets/outside for money.
- ▶ 24% were exploited for work.

Sexual violence

Of the 106 women who responded:

- ▶ 25% were raped or experienced another form of sexual violence when sleeping outside or at a place they were temporarily staying.
- ▶ 22% experienced physical violence while street homeless or at a place they were staying.
- ▶ 35% said that destitution forced them to stay in a relationship they would not have otherwise stayed in: 38% of those who stayed in an unwanted relationship were raped by their partner, 41% experienced another form of sexual violence, and 35% were physically abused.
- ▶ Only eight women who experienced rape, sexual or physical violence while destitute in the UK approached the police for support.

Cycles of violence and abuse

Of the 103 women who responded:

- ▶ 32 women were raped or sexually abused in their country of origin and again when destitute in the UK.
- ▶ 10 women were raped or sexually abused on three occasions: first, in their country of origin; second, while travelling to seek refuge in the UK; and third, when made destitute.

Health and hygiene

- ▶ 81% of 106 women who responded struggled to keep themselves clean.
- ▶ 65% of 105 women who responded struggled to access period products.

Of the 104 women who disclosed the state of their health:

- ▶ 70% said it became "much worse" once they were made destitute.

Of the 101 women who disclosed information about access to healthcare:

- ▶ 27% said they were unable to access NHS health services.

Mental health

Of the 106 women who responded:

- ▶ 78% said their mental health had become "much worse" after destitution.
- ▶ 95% felt depressed, 24% self-harmed, 32% tried to kill themselves.
- ▶ 80% felt lonely.

Children and pregnancies

Of the 106 women who responded:

- ▶ 14% became pregnant.
- ▶ 15% were looking after children.

Of those women who were caring for children while destitute:

32 women were raped or sexually abused in their country of origin and again when destitute in the UK

- ▶ 75% said their children were unable to sleep well.
- ▶ 56% said their children were hungry.
- ▶ 38% said their children missed school and suffered from poor health.

Current situations

Of the 106 women who responded:

- ▶ 65% were still destitute.
- ▶ 42% were still refused with no pending application.
- ▶ 21% were awaiting an outcome on a fresh claim submission/Judicial Review application.
- ▶ 15% had been granted some form of leave to remain.

Views on the future

- ▶ 93% of 105 women who responded said that being destitute negatively affected their ability to think about their asylum claim and plan for a resolution.
- ▶ 96% of 101 women said they could not return home.
- ▶ 98% of 103 women said they wished to remain in the UK.
- ▶ 98% of 105 women said they wished to work.

Mariam's story: Ten years in limbo

I'm from Fumayu in Somalia and came to the UK in November 2008 after fleeing the war. I'm from a minority clan called Bajuni. My people live in Kismayo and in the islands between Somalia and Kenya, and we speak Kibajuni. We've been persecuted for a long time by the bigger clans. We're very poor - we fish for a living - but the majority clans have better jobs. They've treated us like slaves.

By the time I was 17, my father had arranged for me to marry a much older Bajuni man called Ahmed. I saw Ahmed for the first time on our wedding day. As a woman, I had no choice. I couldn't leave the house freely, laugh openly, talk to men who weren't my close relatives or even look other men in the eye.

I escaped the war in Somalia twice. The first time, militiamen broke into our family home and raped me and my daughter Amina. She was just 15. The men shot her dead after, and they killed my son too.

I escaped the war in Somalia twice. The first time was in the early 1990s. Militiamen broke into our family home and raped me. They raped my daughter Amina as well. She was just 15. The men shot her dead after, and they killed my son too.

Like many others, we fled to a refugee camp in Kenya where we stayed for a few years before returning to Somalia. We planned to go back to Kismayo together but Ahmed got very sick while travelling and we were forced to separate for the sake of our children.

War broke out in Kismayo and I lost two more sons. Militiamen took them away, which was common in Somalia. They were stealing boys to train them as soldiers. The men also killed my brother and raped me.

I fled to Kenya again with my children. Soon after, I came to the UK. Bajuni elders said that it would be too risky for my children to go with me, and that I should go first. I wasn't used to making decisions; in my culture it's always the men deciding. So I did as they said and my children stayed with my mum.

I applied for asylum the day after I arrived. Because I had no money, the Home Office put me in a hostel where I got two meals a day. Soon after, my support started and I moved to Middlesbrough into accommodation for people seeking asylum.

I was scared during my asylum interview. It felt as if I was in court. I'd never been made to answer so many questions in my life. I come from a place where I wasn't allowed to talk freely. And now, all of a sudden, I was in a foreign country doing an interview. I didn't understand how to tell my story.

The interpreter spoke in Swahili, not Kibajuni, and so I wasn't understood. I was made to speak to a language analyst. I was told he was Bajuni. He wasn't speaking Kibajuni like me and he told the interviewer that I wasn't Bajuni. The interviewer started questioning me in a very stern way. I was shaking so badly I wet myself.

I was refused asylum because the Home Office didn't believe I was Somali. To make things worse, my legal aid solicitor didn't tell me about the refusal until three days before the appeal deadline. I called a different solicitor who said he'd help me if I came to London but I didn't have money to travel. The asylum support money was hardly enough to eat properly. The solicitor was kind and paid for my ticket. He appealed in time but again my claim was rejected.

Around that time I learnt through someone in the Bajuni community that Ahmed was in the UK. I couldn't believe it. When Ahmed called I had so many emotions running through me. I was shocked and really pleased, knowing he was alive and here.

Apparently he'd come to the UK before me and had got refugee status soon after. He sent me money so that I could move to him in Birmingham. I felt so relieved; I only had three days left in the accommodation for people seeking asylum.

It turned out Ahmed didn't want to be with me. I told him what happened to me after he left. Instead of showing love he made me feel like being raped was my fault: "I don't feel comfortable with such a wife. This is a bad omen. You were raped so many times by so many men. I don't want that." I felt heartbroken. Sadly, Ahmed's reaction is common; there is so much shame in our culture about rape.

Ahmed made me sleep in the living room. He gave me food but no money. And I wasn't able to keep clean all the time. A Somali woman living nearby let me use her washing machine sometimes. But it was degrading; cleaning my clothes is something I should have been able to do myself. My mental health got so bad during these years. I had thoughts about ending my life.

Then Ahmed stopped giving me food. Sometimes if I left the house to try and find food he would lock me out. On those nights I'd sleep in the coach station. Ahmed became aggressive as well, and it started to frighten me. He kept asking me to leave, would swear at me, slamming doors and hitting things. But where could I go?

One day, when I went to report at the Home Office, I saw a leaflet for the charity Restore. I felt scared about sharing my experience with strangers but I also felt really scared about my situation. I called Restore and explained what was happening, and a woman came to collect me the next day. She gave me food and got me a room with The Hope Projects. She also found a legal aid solicitor to start up my asylum case. I stayed with Hope for around two years. They gave me £20 a week for food and travel to charities.

Restore got me a psychologist who helps survivors of sexual violence and registered me with the NHS. Until then, I had no idea I could see a doctor; I had heard that you couldn't get healthcare if your case was refused. I finally got treatment for my mental health, after suffering for so long.

My solicitor filed my fresh claim and I eventually got support. Restore and Hope wrote letters for me, and my solicitor got a report from a mental health specialist that said I was suffering from severe trauma. My solicitor reminded the Home Office

that my husband had refugee status. We're both Bajuni, from the same family and fled the same war. How is it that he was believed and I wasn't? It didn't make sense. I had given the Home Office my husband's details on my asylum application, so I don't understand why they didn't make the connection then. My solicitor also sent a report from a language specialist who speaks Kibajuni. I went to court twice and in the end, in December 2018, I got refugee status. I cried and cried and cried. In a way, it had lost its meaning because I'd wasted 10 years waiting to be believed.

Being raped changed me forever and I sank into severe depression because of it. And then I was made destitute and things got even worse.

My solicitor told me to apply for benefits. I made an application as soon as I got status, but it took a really long time to process. I did my best to follow the procedure, but it's confusing when you're new to the system, and it wasn't clear what I had to do. The asylum support stopped in January but my benefits didn't start for nine months. The Home Office put me in a dirty hotel and I had no money. I was lucky to have my solicitor, who gave me some cash before I got benefits. I also relied on charities for food. Being destitute after getting asylum isn't something I had expected.

Even now, I'm scared to be around men. It all comes back to me. Being raped changed me forever and I sank into severe depression because of it. And then I was made destitute and things got even worse. I'm still on anti-depressants and have a psychologist. I also have hospital appointments for my mental health.

I feel really lonely sometimes. So most days I keep myself busy in the community. I still attend support groups for asylum-seeking women. I also pray a lot. But it's hard to find peace, having lost so many people, so many children, and being separated from my remaining family. My youngest daughter, Caliyah, was eight years old when I came here. She's 19 now - a young woman - and I wasn't there for any of it. Will we live together again? I think about this every day.

The pain of wearing my shoes

No one can imagine our experience

How do you know the pain of wearing my shoes
unless I tell you?

Destitution is being homeless

Destitution is no income, no accommodation

Alone the whole day

With nowhere to stay

Destitution is being on the road all day, sitting on the street,
at the bus stop

Destitution is carrying your bag all day and sitting
at the bus stop

When it's cold, it's harder

Outside all day

With nowhere to stay

It's cold, it's freezing

And you get sick

Destitution is no friends, feeling suicidal

Destitution is mental illness and loss of memory

I pray a lot

This is a hard life

And we are like orphans

How do you know the pain of wearing my shoes
unless I tell you?

No one can imagine our experience.

*Extract of a poem by destitute women from the
Coventry Asylum and Refugee Action Group*

The need for this research

Over the years, Women for Refugee Women (WRW) and our regional partners in Birmingham, Coventry and Manchester have seen hundreds of destitute women denied access to food and shelter, and denied the opportunity of building a decent and stable life for themselves. Destitution is defined here as no statutory support or housing, and no right to work. Those who receive statutory support during the asylum claim are clearly also at risk of extreme poverty. However, for our first comprehensive research on this issue, we focus on women who are entirely outside the support system.

People have no idea what's happening.

- Diane

Destitute refugee women often feel that they are invisible to the wider public. As Diane said, "People have no idea what's happening." The fact that they are excluded from government data collection serves only to perpetuate that reality; there are no publicly available statistics on the number of asylum-seeking people who are living destitute in the UK. According to the British Red Cross, at least 15,000 refugees and people seeking asylum were left destitute in 2017.³ However these figures are based on the number of people the charity supported. The true figures are likely to be much higher. In fact, research from organisations across

all four nations of the UK suggests that asylum and migrant destitution is growing.⁴ Indeed, over the last year, WRW and our partner organisations have seen increasing numbers of women in destitution, with no access to support or housing.

This research is a result of requests made by the asylum-seeking women who attended the National Refugee Women's Conference held in Manchester by WRW and Women Asylum Seekers Together (WAST) Manchester in 2017. These women felt that their experiences of being made destitute, and the severe effects it had on their safety and wellbeing, were unseen and unheard not just by the government, but also by members of the public.

While there is considerable research on refugee and migrant destitution more generally,⁵ the specific experiences of women have often been inadequately captured, particularly those of women who have been refused asylum.⁶ To that end, this research highlights the numerous ways in which refugee women are harmed when the government deprives them of the ability to support themselves.

People who seek asylum are rarely presented as human beings with histories, and are rarely given the chance to tell their stories to those in government. To counter that, we have centred the voices of asylum-seeking women who have personally experienced destitution throughout this report, and illustrated it with photographs taken by women who are currently living destitute in London.



Asylum-seeking women who attended the National Refugee Women's Conference in Manchester in 2017 called for this research.

Photo:
Elaine Emmott

How destitute women shaped this research

Women for Refugee Women (WRW) adopted a participatory approach to this research, supporting women with experience of destitution to shape all stages of the process through to publication.

First of all, women from London, Manchester, Birmingham and Coventry who have been or are destitute came together in workshops to map out the effects and the perceived root causes of destitution; the results of their discussions are illustrated opposite.

We then built on this problem tree to develop questionnaires in order to collect data on the areas that women had identified. Women who have experienced destitution also reviewed drafts of the questionnaire, amending both substance and language. We then trained women with experience of destitution to develop their skills and confidence so that they could carry out the research, alongside female staff from WRW.

During both project development and data collection, WRW worked closely with grassroots groups that were already part of our network: WAST London, WAST Manchester, Women with Hope in Birmingham, and Coventry Asylum and Refugee Action Group. In an effort to capture the experiences of as many refugee women as possible, we also formed new partnerships in England and Wales, such as with the Baobab Women's Project in Birmingham, Welcome Group Halesowen in Dudley, the Swansea Women's Asylum and Refugee Support Group, the African Community Centre in Swansea, and Oasis Cardiff.

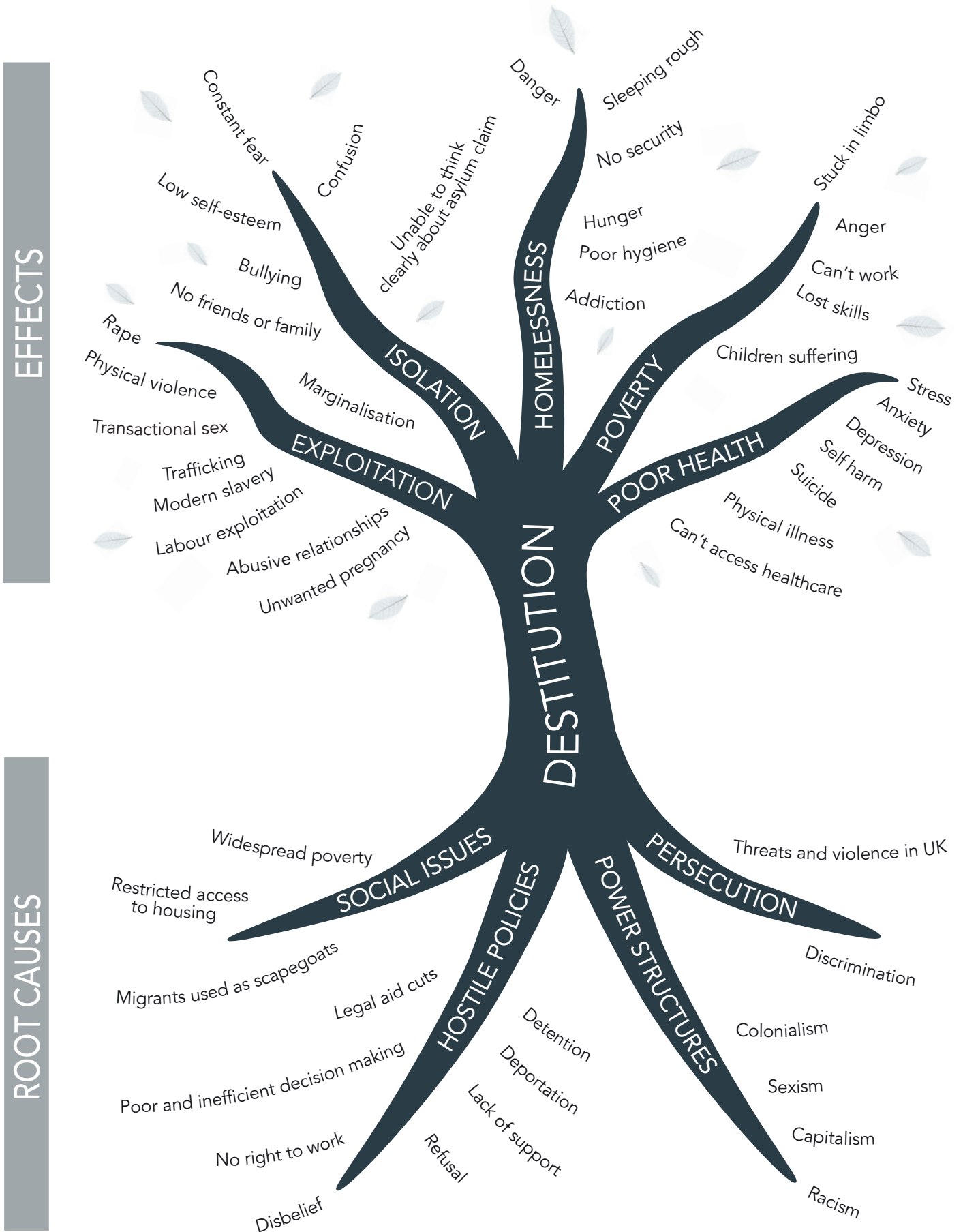
The research findings were shared with asylum-seeking and refugee women in various locations across the UK. These discussions helped to shape this report and its recommendations. WRW continues to support women with experience of destitution to lead the campaign to end enforced destitution.

My witness, by K.M.

"I used to go to the park all the time when I was homeless, because there no one looks at you. I would go in the day, the night is not safe. I had no friend, so I sat and talked to the trees. They were my witnesses. I told them my story and my dreams."



Asylum-seeking women in Birmingham, Coventry, Manchester and London discussed their experiences of destitution in the UK.



How did we get here?

In order to tackle the problem of enforced destitution, and prevent similarly harmful practices in the future, it is important to appreciate how it has arisen.

That so many asylum-seeking women and men are made destitute is not an accident. It is not simply a matter of people slipping through the net in an otherwise humane system premised on empathy; it is “a design characteristic” of our asylum process.⁷ The term “hostile environment” became prominent in 2012, but the hostility of our asylum system started much earlier. Negative rhetoric from media and politicians over the years has fuelled narratives of migrants and people seeking asylum “taking over”,⁸ “stealing our jobs”,⁹ “coming here for benefits”,¹⁰ bringing crime to our communities,¹¹ and threatening British identity.¹² Over time, these narratives have been used to justify policies that treat those who are not citizens as if they are less than human, and to deny them basic rights to safety, dignity and liberty.

Many observers cite the introduction of the Immigration and Asylum Act 1993, which aimed to reduce the number of asylum-seeking people in the UK, as the beginning of the modern hostile environment.¹³ The early 1990s saw the entry of refugees from conflict areas such as Somalia, following the outbreak of the civil war in 1991, and Bosnia, during the breakup of the former Yugoslavia. Around this time, policies to curtail access to social assistance began to be implemented in order to discourage people from seeking asylum – despite the absence of empirical evidence to show that welfare is a magnet for vulnerable men and women fleeing danger.¹⁴

The 1993 Act removed the right of asylum-seeking people to permanent local authority housing and capped benefit entitlement at 90% of the standard rate. Further legislative changes took away access to all mainstream social security benefits and created the National Asylum Support Service – a separate and less financially generous structure specifically for people seeking asylum.¹⁵ Financial support was also reduced to around 70% of mainstream benefits.¹⁶

Throughout the world, people continued to seek safety across borders, often fleeing conflicts to which Western policies had contributed. Yet,

instead of taking more responsibility, the government continued with punitive policies. New legislation effectively removed the right to work.¹⁷ Moreover, asylum-seeking people were excluded from support if they had not made their application “as soon as reasonably practical”,¹⁸ and increasing numbers were locked up in immigration detention.¹⁹

Fast forward to 2012, as refugees drowned in the Mediterranean, then Home Secretary Theresa May introduced the “hostile environment”,²⁰ a series of harsh policies aimed at forcing people with insecure immigration status to leave the UK. A swathe of measures were introduced to make migrants’ access to employment and basic public services, such as housing and healthcare, more difficult. There was also a shift in the “burden of proof to those seeking jobs, benefits, housing and other services, who must prove entitlement, rather than requiring the Home Office to disprove it”.²¹ The policies marked a significant departure from previous approaches to immigration control in introducing, for the first time, a system of citizen-on-citizen checks. Under this new system of civil and criminal offences, public service providers, such as the NHS, but also a wide range of private individuals such as landlords, have been forced to carry out immigration checks.

In the aftermath of the Windrush scandal, when it became clear that even those entitled to British citizenship had been caught up in the hostile environment, the government substituted the term “compliant environment”. At the time of writing, however, most of the policies of the hostile environment remain in place, despite the “huge administrative burden and cost on many parts of society, without any clear evidence of... effectiveness.”²² The policy recently came under fire from the UN Special Rapporteur on racism, who described the socioeconomic exclusion of migrants in the UK as entrenching racism and stoking xenophobic sentiment.²³ Calling for an end to the hostile environment, Tendayi Achiume said: “[in its reliance] on private citizens and civil servants to do front-line immigration enforcement, [it] effectively [transforms] places like hospitals, banks and private residences into border checkpoints”²⁴; “In a broader context of national anti-immigrant anxiety, the predictable

result of the UK government's immigration policy and enforcement is racial discrimination and racialised exclusion."²⁵

The destitution of those at the end of the asylum process is a part and parcel of the hostile environment; it is deliberately enforced in order to push vulnerable people to leave the UK. However, extreme poverty is not unique to refugees and migrants, and it is important to appreciate the wider context of poverty in this country. In 2018, there were 14 million people living in poverty in the UK, a crisis described by the UN Special Rapporteur on extreme poverty, Professor Philip Alston, as "a political choice".²⁶

In a damning report, Alston concluded that British compassion had been deliberately replaced with a punitive approach in the name of austerity and individual responsibility.²⁷ Since 2010, the government has continued to slash budgets for housing, health and welfare, causing major increases in food banks, homelessness and rough sleeping.²⁸ Alston noted the serious risk of domestic

violence to women, going so far as to say that the reforms could easily have been created by "a group of misogynists."²⁹

Widespread poverty across the UK makes it increasingly difficult for those forced into destitution by reason of their immigration status to find support – including food, shelter or legal advice – in communities that have been hard hit by deepening poverty. Indeed, reports show that "the problem of destitution... is growing faster than frontline agencies' ability to respond", with increasing pressure on charities, churches, and other third sector organisations.³⁰

Austerity measures have also included drastic cuts to a legal aid system that was already under pressure, so now "support for immigration and asylum cases is almost non-existent unless you have the money to pay for it."³¹ The increasing scarcity of quality legal provision, as will be explored later, jeopardises accurate decision-making for all those in the asylum process, and makes it harder for those refused asylum to resolve their situations.

A bus in winter, by K.M.

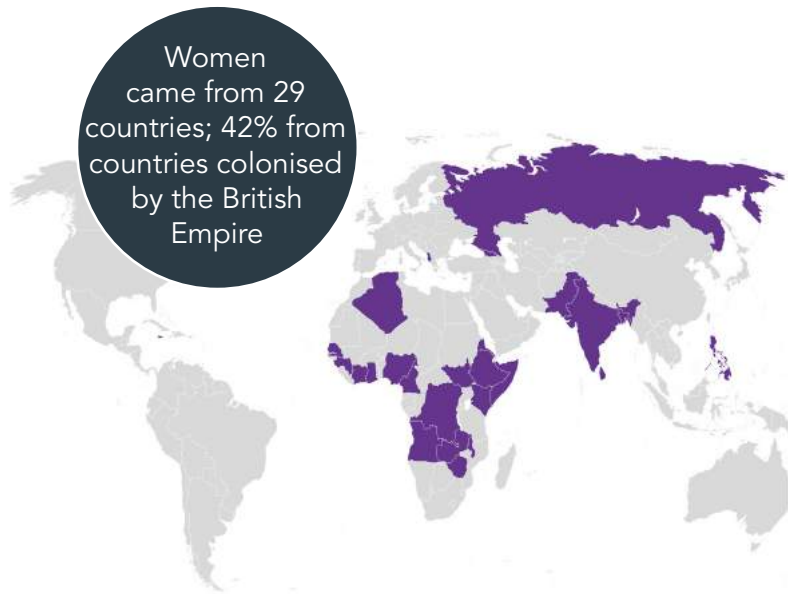
"Sometimes I would sit at the bus stop for most of the day. People would come and go, the world kept moving past me but I would stay still. I would feel so cold. I looked at all the people on the bus and thought, 'These people have beds, they have homes, light and warmth.' When you are homeless, you feel like you are nothing."



Why women seek asylum

The 106 women who participated in this research had all left their countries to find safety in the UK. **More than three quarters of the women we spoke to were fleeing gender-based violence.** Gender-based violence is a wide term that can include all kinds of harm inflicted upon an individual because of their biological sex or their gender. In this research we have interpreted it narrowly to include those women who were fleeing rape, sexual assault, forced prostitution, forced marriage, female genital mutilation (FGM), or some combination of these.

Women came from 29 countries; 42% from countries colonised by the British Empire



Fifty-nine percent of women were raped by either state authorities or private individuals, and another 11% of women had experienced another form of sexual violence. This is very similar to the levels we saw in our 2012 research on the experiences of women refused asylum, where 53% had experienced rape in their countries of origin.³²

Having experienced extreme violence or abuse is not, in itself, enough to make a successful claim for asylum and be recognised as a refugee. In order to be accepted as a refugee, a woman must show that if she returned to her country she would face a well-founded fear of persecution based on one or more of the five grounds laid down in the 1951 UN Refugee Convention: race, religion, nationality, political opinion or membership of a particular social group.³³

The women in our research had faced persecution on various grounds covered by the Refugee Convention, often on more than one ground. **Twenty-three percent of the 103 women who disclosed their experiences said that they were persecuted because of their political activities, while another five were persecuted because they were suspected of being politically active. Eight women fled because of persecution due to their religious beliefs.**

While women and men may be persecuted for the same reasons, women are more likely to suffer gender-based violence as part of this persecution. **Around a third of the women we spoke with had experienced rape or sexual violence by state authorities, including police, prison guards or soldiers.** There is growing awareness of the extent and impact of sexual violence in conflicts and repressive situations across the globe, including, recently, the rape and sexual slavery of Yazidi women by Islamic State forces in Iraq and the mass rape of Rohingya women by the military in Myanmar.

Rape has been used as a weapon of war and a method of political persecution in DR Congo for years³⁴ "in a context of absolute impunity".³⁵ **A quarter of the women in our research came from DR Congo and, of those, 92% had suffered rape or another form of sexual violence in their country.** However, despite their accounts of extreme gender-based violence, almost all of these women had been refused asylum here, and have endured some of the lengthiest periods of enforced destitution.

One woman from DR Congo in our network, Lilly, had been a successful businesswoman in her country but had come to the notice of the authorities when she had started encouraging other women to register to vote. She was imprisoned and raped during this time. When she was released, she fled to the UK, terrified that she would be targeted again. While she now has refugee status, she has not forgotten the years she spent destitute in this country: *"I thought when I got here I would be safe, but instead I was living like a beggar."*

A third of the women had experienced rape or sexual violence by state authorities

Another way in which women's experiences may differ from men's is that they are often targeted because of the activities of male family members, such as husbands, brothers and fathers. Indeed, seven women we spoke with had experienced persecution by state authorities on account of the actual or suspected activities of a family member, generally male.

Women are also more likely to be persecuted in the private sphere at the hands of family or community members. **A third of the women in this research stated that the reason for their persecution was "because I am a woman"**. This supports our 2012 research, which found that 39% of women were targeted because they were women. It is notable that despite the reality of female oppression across the world, being persecuted on the grounds of gender or sex is not, in itself, grounds for seeking asylum under the Refugee Convention. Created by all male delegates in the aftermath of the Second World War, this convention was conceptualised at a time when there was "complete blindness to women, gender, and issues of sexual inequality".³⁶ However, over the years feminist lawyers have successfully interpreted the "particular social group" ground to include a wider scope of gender-based violence, and this is now enshrined in international guidance on the Refugee Convention, and the UK's legal framework. So, for instance, young women at risk of FGM in Sierra Leone, women who have experienced domestic violence in Pakistan, lesbian women in Uganda, and Iranian women who refuse to enter into arranged marriages, have all been recognised as a "particular social group" in asylum case law.

In this research, 17% of the women fled from a forced marriage, 13% escaped from forced prostitution, and 10% fled FGM or the threat of FGM on themselves or their daughters. In addition, more than a quarter of the women we spoke with said that they were trafficked, within their countries of origin or to the UK or another country. A woman who is fleeing persecution in the private sphere must show not only the risk of serious harm if she was returned, but also that the state cannot or will not protect her from that harm.

For instance, it is not enough for a woman to show that she was trafficked into forced prostitution in order to claim asylum. She would also have to show that, if returned, she would face ongoing harm from her traffickers and would not be able to

seek state protection. Valbona was trafficked from Albania to Italy where she was forced to work as a prostitute. Unable to seek protection from the state, Valbona fled to the UK, suffering further sexual and physical violence on her journey. Her asylum claim was rejected on the basis that she could live safely elsewhere in Albania. Terrified of being re-trafficked or otherwise targeted by her traffickers, Valbona remained in the UK. The refusal of her claim meant that she became destitute, and she has since tried to take her own life. She said, *"I came to the UK for safety... because my life is at risk in Albania. But I feel at risk here as well. Every day I fear being sent back home."*

Over a quarter of the women we spoke with said that they had been trafficked

Sixteen percent of the women we spoke with fled their countries because of their sexual orientation: "because I am/was suspected of being a lesbian or bisexual".

Almost all of these women came from countries that have criminalised same-sex acts, including Uganda, Cameroon and Nigeria, where persecution of LGBT people, from the state and the public, has been well-documented.³⁷ One woman in our network, Sonia, was beaten at a gay rights protest in Uganda. The police arrested her rather than the perpetrators, and imprisoned her for months, during which time she was sexually abused. After release from prison, she fled to the UK, but her lawyer presented her case badly and did not ask her for evidence of her imprisonment or a medical report to show her torture, and she was left destitute in the UK, too afraid to return home.

I came to the UK for safety because my life is at risk in Albania. But I feel at risk here as well. Every day I fear being sent back home.

- Valbona

Women who participated in our research had fled their homelands to escape severe human rights abuses. Yet despite growing understanding of the oppression that women suffer across the globe, women often face a lack of understanding and empathy when they come to this country to seek asylum. Many of these already traumatised women are made destitute for prolonged periods, and pushed into further exploitation or abuse.

How women who seek asylum are made destitute

The women who participated in this research were made destitute at various stages of the asylum process and beyond. Most of them had experienced destitution once, for what was often a prolonged period of surviving without financial support, housing and the right to work. However, a quarter of women had experienced destitution at two stages. In general, the first time was after making an asylum claim but before support began, and the second time, after the claim was rejected.

During the asylum process

People who are in the process of claiming asylum and have not yet been given leave to remain are **not allowed to work**. It is not until after they have been waiting for a decision on their claim for over a year that they can apply for the right to work. Even then, however, the few who are given permission to work are rarely able to do so as they are limited

to a narrow list of highly skilled professions on the government's shortage occupation list.³⁸ Despite mounting pressure from over 150 charities, businesses and unions, and widespread public support to allow asylum-seeking people to work after a much shorter time,³⁹ the UK has the most restrictive waiting period when compared to other EU countries, the US and Canada.

Banned from working, the vast majority of women seeking asylum must, therefore, rely entirely on the state for support. Women who have made a claim for asylum and are waiting for an initial decision or the results of an appeal can apply for support under Section 95 of the Immigration and Asylum Act 1999 (Section 95 support). As with all forms of asylum support, women are expected to provide proof that they have no other means of support before receiving Section 95 support.



Section 95 support can take the form of cash only, or accommodation and cash support. Under the asylum dispersal scheme, accommodation is offered on a no-choice basis, often in some of the most impoverished areas of the UK outside of London, and irrespective of social connections or access to support needs, such as rape trauma counselling.

In general, the amount of subsistence offered to a person seeking asylum is £37.75 per week (significantly lower than mainstream benefits).⁴⁰ This allowance, which equals roughly £5.39 a day, must cover clothing, phone credit, travel to legal and medical appointments, and essential toiletries, such as soap and sanitary pads. Previously, asylum support was set at 70% of mainstream benefits, but over the years this link has been severed. By way of comparison, the current level of Section 95 support is just over 50% of income support for those aged 25 or over.⁴¹ Since 2011, and despite rising living costs, the amount of asylum support has increased by just 80p a week.⁴² Testifying to the inadequacy of this support, in 2017 the British Red Cross provided food parcels and other necessities such as clothing, to 14,824 asylum-seeking men and women who were receiving Section 95 support at the time.⁴³

The Home Office recently scrapped its target of processing most asylum claims within six months, and in the last quarter of 2018 only 25% of initial decisions were made within that timeframe.⁴⁴ Furthermore, recent reports show there has been a 58% increase in the number of people waiting for an asylum decision.⁴⁵ Many of the women we spoke to had waited far more than six months, forced to live on minimum subsistence, barred from working, and unable to plan for their futures.

Twenty-nine percent of women in our research became destitute due to delays in receiving vital Section 95 support. This support should be received by asylum-seeking people with no other means of support within 14 days of making an application. However, in spite of that two-week timeline, several refugee women we spoke to had waited a number of months before receiving the

financial assistance to which they were entitled. This finding supports previous research by Refugee Action, which found that people waited between 50 and 58 days from submitting the application to receiving Section 95 support – a gap which pushed them into homelessness and hunger.⁴⁶

I never asked for support in the beginning. I was afraid because of what community members told me. They said the government will put you in a house, and then they will know where you are and take you back home.

- Jane

Twenty-seven percent of women did not apply for asylum support within the first month of submitting their application. Many of these women reported that they were unaware of their entitlements. Others worried about the potential effect on their asylum claim. *"If we ask for support they won't believe our stories,"* Lillian told us, scared that if she asked for support the Home Office would wrongly conclude that she came to the UK for economic reasons rather than safety. Others who made a delayed application feared that being placed in government housing could increase their risk of deportation. As Jane told us: *"I never asked for support in the beginning. I was afraid because of what community members told me. They said the government will put you in a house, and then they will know where you are and take you back home."*

Two women we spoke to never applied for Section 95 support for fear of deportation. Eight women applied but never received it and were unable to understand why that was the case.

I am someone, by Jeancy

"When you are homeless and you come inside, it's good to have a cup of coffee and something to eat. You may have gone all day without food, with nowhere to go.

It's nice to feel warm and welcomed. Sometimes I am given a meal to eat... rice, salad, plantain chips. A plate of food can give hope. It can mean a night without the endless hunger when I can finally sleep.

A plate of food can really change your day. Even a slice of bread or a cup of tea – it makes you feel okay, as if 'I'm someone'."

After receiving leave to remain

A successful asylum application usually gives the woman refugee status, which allows her leave to remain for five years and the opportunity after that to apply for indefinite leave to remain. There is a strict “move-on” period of 28 days during which the individual must transfer from asylum support to the mainstream system of support. This means that women only have 28 days in which to secure work or benefits, and to find rented accommodation before Section 95 support is cut. Since it is virtually impossible for refugees to find work in 28 days, access to mainstream benefits is crucial to prevent them from falling into destitution.

Asylum support should not be discontinued until it has been confirmed that the recipient is receiving mainstream benefits.

- Home Affairs Select Committee (2013)

Navigating an unfamiliar system, overcoming language barriers, and with little information about what to do and how, are some of the initial challenges faced by refugee women who are moving on to mainstream benefits and support. This transition is further complicated by various failures in government policy and processes. Some key problems include: the ban on working during the asylum claim, which prevents asylum-seeking women from accumulating savings; delays in receiving residence permits, which then delays the receipt of benefits; shortages in affordable and secure rented housing; and the built-in 35-day delay in the Universal Credit system.⁴⁷ A combination of these, and other, factors means that newly recognised refugees - like Betty - are often forced to start their new chapter in extreme poverty: *“It is sad that I became destitute after I got my refugee status. The reason was I couldn’t find any accommodation because I couldn’t afford the rent deposit. The council would not [help me] because I did not have young children, I was not pregnant, not on drugs, not misusing alcohol... I eventually had to borrow money from Heart of England to afford the deposit... I started my life in the UK with debt and am still in debt nine years later.”*

Eight women who participated in our research were made destitute after receiving leave to remain. A number of women we spoke with waited between two and six months for crucial support to begin. One of the most extreme cases concerned a Somali refugee called Mariam, who was recognised as a refugee in December 2018 but did not start receiving benefits until September 2019. In accordance with Home Office advice, Mariam began the process of applying for benefits as soon as she received notification of leave to remain. As per standard procedure, she completed a lengthy telephone application with the Department for Work and Pensions (DWP), at the end of which she was told to wait for five weeks, already over the 28-day grace period. After waiting for over a month, and with no response from the DWP, Mariam followed up, at which point she was notified that “there was a lot of information missing” from her telephone application.

Over the years, numerous organisations have called for the “move-on” period to be extended to at least 56 days.⁴⁸ Some, including the Home Affairs Select Committee, have gone further, recommending that “asylum support should not be discontinued until the [DWP] has confirmed that the recipient is receiving mainstream benefits.”⁴⁹

After refusal of asylum claim

The overwhelming majority of women we spoke to - 75% - became destitute once their initial asylum claim was rejected after an unsuccessful appeal. This is consistent with previous research that has found destitution to be most prevalent amongst those people whose claims have been refused.⁵⁰

If an asylum claim is rejected, and appeal rights are declared to be “exhausted”, the woman is expected to begin the process to leave or she may be forcibly removed by the Home Office. Thus, Section 95 support and housing is discontinued, generally 21 days after refusal.

In order to qualify for further support, refused women may apply for weekly subsistence support (£35.39) and accommodation under Section 4(2) of the Immigration and Asylum Act 1999. Unlike Section 95 support, financial support at this stage of the process is cashless, provided via a payment card that does not allow for withdrawals and can only be used in specific shops. This leaves destitute women completely unable to fund essential travel to, for example, medical or legal appointments, or to local charities for support.



Difficult, by Jeancy

"To be destitute is so difficult. You are on your own, with no help. You do not have a pound to buy anything for yourself. As a woman you cannot get period pads. And as a woman, men will try to use you."

Section 4(2) support is given only when the destitute woman: 1) is taking reasonable steps to leave the UK; 2) is unable to return because the Secretary of State has declared that there is no viable route of return to her country; 3) is unable to return because of a physical impediment to travel or for some other medical reason; 4) has a pending Judicial Review claim; or, 5) has substantial new evidence for her asylum claim.

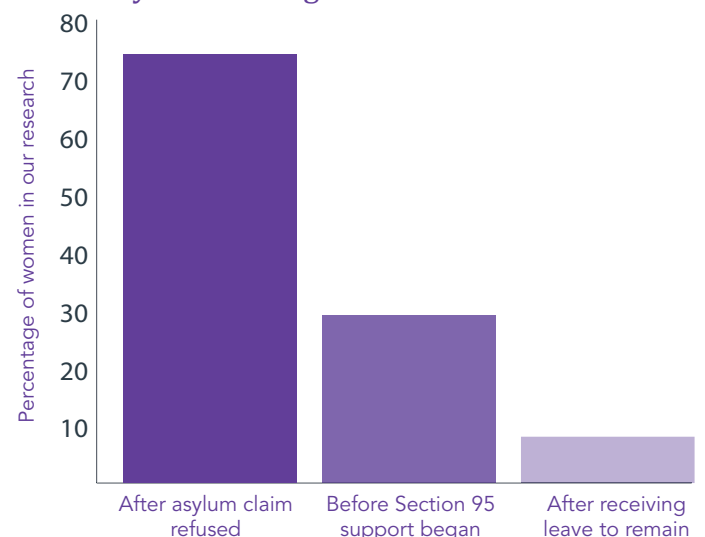
Just over half of the women we spoke with who said they applied for Section 4(2) support were able to receive it. Given the extremely restrictive criteria, destitute women usually need high-quality legal advice to access support after their claims are refused, a challenge for so many of the women who took part in this research.

Attempting to prove that "reasonable steps to leave the UK" are being taken can be very problematic. From our research it is clear that, once made destitute, women will not have the necessary funds for travelling to embassies, sending faxes, making phone calls and obtaining travel documents. Uncooperative governments or embassies that impose tough requirements are just some of the other issues that women may face. Indeed, statistics show that very few people are granted Section 4(2) support under the "reasonable steps" criteria.⁵¹

The second ground upon which Section 4(2) support may be given in theory is also rarely accepted in practice. The Secretary of State has only once declared that there is no viable route to return, rendering the criterion largely irrelevant to destitute women. In order for a woman to qualify under the "physical impediment"/"medical reason"

criteria she must meet an extremely high bar to show that she is unable to travel.⁵² Even then, the Home Office may provide a medical escort. Unless the woman has a pending Judicial Review claim, her only other means to access Section 4(2) support is if she has new evidence (referred to as "further submissions") in relation to her asylum claim that the Home Office considers as having met the fresh claim threshold. However, being caught up in the daily fight for survival, without legal aid, poses significant problems for women seeking to make fresh applications. A Freedom of Information Request revealed that around 86% of further submissions are refused outright.⁵³ Judicial Review is the only means through which to challenge an incorrect refusal, and must be permitted by the tribunal. Given the severe shortage of publicly funded representation and the limitations of judicial review as a remedy, erroneous refusals are likely to go unchallenged, resulting in women who would be entitled to Section 4(2) support being made destitute.

When asylum-seeking women are made destitute



Why women are refused asylum

Many of the women who had been refused asylum whom we spoke with for this research did not feel that their cases had been considered fairly by the Home Office.

Over the years, there has been substantial research on the failures of the Home Office in delivering a fair asylum process, and on the reasons why many women who flee persecution may be wrongly denied protection.⁵⁴ This overview looks at some of the key barriers that prevent women in our network from receiving a fair hearing.

Targets

People seeking asylum are firstly disadvantaged by the government's prioritisation of targets for net migration over the protection of vulnerable people. The target to reduce net migration to the "tens of thousands" was never met and was recently dropped,⁵⁵ but it had been at the centre of the government's immigration policy since 2010, and is likely to be superseded by further quantitative targets. The pressure on Home Office staff to meet arbitrary targets creates optimum conditions for flawed decision-making.⁵⁶

Disbelief

As a report by the Home Affairs Committee notes, non-evidence-based targets encourage a presumption in decision-making whereby the person applying for asylum is deemed to be in the UK unlawfully.⁵⁷ The Committee states: "A change in culture at the Home Office over recent years as a consequence of political decisions has led to an environment in which applicants appear to have been automatically treated with suspicion and scepticism and forced to follow processes that appear designed to set them up to fail."⁵⁸ Indeed, the culture of suspicion within the Home Office, where "the starting point for...processing claims is too often disbelief,"⁵⁹ has been reported extensively, yet repeatedly denied by those who like to remind us of "the [UK's] long and proud tradition of providing protection."⁶⁰

"They should start believing people. They don't believe us, that's where the problem is. They treat us like... we're from another planet", Claire said. So many of the women we spoke with felt

that they had been treated with suspicion by the Home Office from the outset. This mirrors our findings from previous research where disbelief among Home Office staff was a key concern of refugee women, who characterised their experiences of going through the asylum system as overwhelmingly negative.⁶¹ In practical terms, the culture of disbelief means that Home Office staff are placing an unrealistic and unlawful evidential burden on the person seeking asylum. This leads to flawed credibility assessments and erroneous decisions, subjecting women who may otherwise have legitimate grounds for asylum to ongoing uncertainty and danger.

A change in culture at the Home Office has led to an environment in which people seeking asylum have been automatically treated with suspicion.

- Home Affairs Committee (2018)

In 2019, Freedom from Torture released a publication on Home Office decision-making based on the findings of charities, parliamentary committees, the UNHCR, independent inspectorates and academics. Those findings were based on nearly 1,800 asylum cases, charting a 15-year history of criticisms levelled against Home Office processing. The analysis revealed that decision-makers were routinely placing an impossible onus on people seeking to prove their right to be in the UK.⁶²

Another recent study of government data found that 3,100 asylum applications from LGBT⁶³ applicants had been refused, even though they were from countries that criminalise consensual same-sex acts.⁶⁴ The UK Lesbian and Gay Immigration Group has also conducted research into the standards applied by the Home Office when deciding asylum claims based on sexual orientation. Their findings from 2018 document

how LGBT women and men have been faced with an impossible “catch-22” situation to “prove” their sexual orientation: “Decision-makers often place very limited or no weight on corroborative evidence of sexual orientation, such as evidence from friends, partners, participation in LGBTQI+ groups, attendance at events, social media exchanges. That evidence is often labelled ‘self-serving’ [but] failure to produce such evidence...is damaging to the claim.”⁶⁵ Indeed, as Fiona from Kenya shared: “I had letters from the church. I had letters from the groups that I visit. But the Home Office said that everybody was writing to help me out and that it was self-serving. If you take four photos they say it’s not enough – but if you take a lot they say it’s fake.”⁶⁶ Meanwhile, the Home Office insists that “[e]ach case is considered...against...published country information, and all decisions on claims based on sexual orientation are reviewed by an experienced caseworker.”⁶⁷

The Refugee Convention requires that the person is given “the benefit of the doubt”⁶⁸ and that the standard of proof to be applied to asylum claims is less than the balance of probabilities test relevant to civil claims. UNHCR standards confirm that refugee status does not require a clear probability of future persecution; “[i]t is enough that persecution is a reasonable possibility.”⁶⁹ Indeed, Home Office staff “often should accept a fact as credible even if [they are] not completely sure that it is true.”⁷⁰

The Home Office’s own instruction reaffirms these international standards, stating that: “‘reasonable degree of likelihood’ [the standard for assessing asylum claims] is...less than the civil standard of ‘the balance of probabilities’.”⁷¹ The problem is not, therefore, one of inadequate legislation, but, rather, disregard of the applicable framework.

They should start believing people. They don’t believe us, that’s where the problem is. They treat us like we’re from another planet.

- Claire

Research by Asylum Aid found that the majority of asylum-seeking women whom they spoke to were not believed by the Home Office at the initial stage.⁷² A massive 42% of those decisions were overturned on appeal, with immigration judges accepting the credibility of the woman in every one of those cases.⁷³

A destitute life, by K.M.

“Life is like a train, it quickly passes. Sometimes you feel that it is too late, like you have missed the train. I lost 10 years to destitution. It felt like I was waiting at the platform. Waiting. Waiting.

Finally, when they gave me my papers, I felt like life had already passed me by. I had lost my youth, my health and my hope.”



Gender-based violence

The culture of disbelief and the unrealistic burden of proof can, and does, affect both men and women. But it can be even more pronounced for women whose claims of gender-based violence are often poorly assessed due to insufficient understanding of how these harms may fall into the remit of the Refugee Convention.

Although UNHCR guidance urges states to interpret all five Convention grounds in a gender-sensitive manner, research shows that countries, including the UK, are failing to do this.⁷⁴ Given the absence of gender in the Refugee Convention, the ground of “particular social group” fills a vital protection gap for women. Yet, despite the significant amount of case law on the interpretation of “particular social group”, there is still a reluctance among Home Office staff to engage with that Convention ground.⁷⁵

Of the 103 women in our research who disclosed the reasons for fleeing their homes, 78% reported

that they had fled from serious gender-based violence, including rape, forced marriage, forced prostitution, and experiences or fears of being subjected to FGM on themselves or their daughters, among other forms of sexual abuse. As discussed earlier, if there is failure by the state to protect women, all of these forms of persecution may fall within the purview of the Refugee Convention and the UK’s obligation to protect refugees.

While sexual violence as a weapon of war has increased over the years, violence against women in the private sphere is still being overlooked – despite its prevalence across the world. Home Office guidance acknowledges that “violence against women can occur more commonly within the family or community”⁷⁶ – but research has repeatedly shown a disconnect between written commitments and official practice.⁷⁷ Glory, a woman in our London network, who fled violence from powerful men in her community and experienced destitution after she was refused asylum, received a rejection letter from the Home Office, stating:



"you claim that [he] started raping you as soon as you returned...and would come every day with bodyguards to rape you. It is considered that these actions you describe are inconsistent with someone who you claim was a family friend."

Despite legal developments, research shows that judges too are applying an overly restrictive interpretation to the Convention. As a result, women who have experienced sexual abuse, forced marriage, trafficking and other types of gender-based violence in the private sphere are often unable to obtain asylum. A 2017 report by UN Women on the rights of women seeking asylum in the European Union found that: "Women and girls are not always recognised as [a protected] group. Judges have too often claimed, when reviewing gender-based asylum applications, that women who survived sexual violence had problems in 'the personal sphere' and therefore do not require international protection."⁷⁸

You claim that he started raping you as soon as you returned, and would come every day with bodyguards to rape you. It is considered that these actions you describe are inconsistent with someone who you claim was a family friend.

- Extract from a Home Office refusal letter

No choice, by Antho

"They are seeking asylum. We met at a charity where you can find something to eat.

This is bread with tuna. You don't have a choice what you eat. You just need to eat whatever you are given."

Disclosure

Our asylum system is adversarial and confusingly complex, a "dizzying maze of...forms, court dates and ever-changing...rules".⁷⁹ It is in this context that traumatised women are expected to immediately divulge details about sexual violence to complete strangers, with precision and without counselling.⁸⁰ Home Office guidelines urge its staff to consider the impact of trauma in the disclosure of gender-specific violence.⁸¹ Yet, contrary to established policy, its decision-makers have been found to rely on late disclosure of such persecution in order to deny the credibility of asylum-seeking women.⁸² Similarly, immigration judges have also been found to overlook rape trauma syndrome, failing to recognise its impact on a woman's memory, control and self-esteem.⁸³

Other barriers to disclosing sexual violence include the presence of a male, such as an interviewer, interpreter or other official, during the asylum interview. Home Office policy encourages staff to meet requests for same-sex interviewers and interpreters,⁸⁴ but the preference will not always be met due to operational constraints. Indeed, research has found that 58% of asylum-seeking women were interviewed by male officers, even though 92% asked for a female interviewer.⁸⁵

Insufficient Country of Origin Information

Another factor that is particularly prejudicial to women is inadequate Country of Origin Information (COI). COI includes sources such as human rights reports, that provide Home Office staff with accurate information about country conditions. These reports play a vital role in corroborating an asylum claim, especially "in helping to define a particular social group or to show that transgressing social norms may be the articulation of a political opinion."⁸⁶ Where harm originates from private individuals rather than the state, as it did for many of the women we spoke with, the woman faces the additional hurdle of showing that the state is unwilling or unable to protect her. Here, COI can provide vital information on the ability or willingness of the state to protect its women from persecution. However, given the often hidden forms of harm that women suffer in the private sphere, "[t]here is simply less public information about gender-related persecution".⁸⁷ Thus, "[w]omen often constitute an invisible group in COI",⁸⁸ making it harder for them to demonstrate a risk of serious harm upon return.

Lack of quality legal representation

The consequences of incorrect decision-making can mean serious harm or even death for those who are returned to their countries of origin. Yet many women are forced to brave the asylum process with no or poor legal advice. Rita, a survivor of sexual violence whose asylum claim was refused, shared: *“My asylum interview was long. [I had] no solicitor to encourage me or to calm me down.”*

Refugee Action has found that 56% of legal aid providers and 64% of not-for-profit entities have ceased providing representation for asylum cases since severe cuts to legal aid were first implemented by the government in 2005.⁸⁹ In 2010 and 2011, due to changes to legal aid, two of the largest not-for-profit immigration and asylum centres, Refugee and Migrant Justice and the Immigration Advisory Service, closed. Together, they represented approximately 20,000 clients.⁹⁰

My asylum interview was long. I had no solicitor to encourage me or to calm me down.

- Rita

A more recent report funded by the Joseph Rowntree Foundation has shed light on the legal aid landscape in England and Wales. It reveals “deserts”, areas where no legal aid providers exist, and “droughts”, where advice appears to be available but people would have no access in practice because the lawyers have reduced capacity to take the cases on.⁹¹ According to the author, Dr Jo Wilding, one of the reasons for this is the fee available for legal aid asylum work. This amount is fixed, irrespective of how long the lawyer works on the case, and in practice ends up being lower than what it costs to do the work to a good standard. Wilding explains that “for an adult walk-in, first-time asylum applicant, there is virtually no chance of being taken on by a high-quality representative because they cannot afford to do the work, however evidentially or legally complex the case might be.”⁹² Every woman refused asylum at the initial stage may appeal to the First-Tier tribunal. However, good quality legal representation is critical to the outcomes of women’s asylum appeals,⁹³ and “[t]he current means of legal aid funding for asylum

work discourages [lawyers] from taking the most complex cases to appeal...[which] can be especially damaging for complex gender-related claims.”⁹⁴ Subsequent rights of appeal, beyond the First-Tier Tribunal, are not automatic.

The current means of legal aid funding for asylum work discourages lawyers from taking the most complex cases to appeal, which can be especially damaging for complex gender-related claims.

- Asylum Aid (2017)

Based on our findings, women fleeing serious human rights abuses face very real and, in some ways, worsening barriers to obtaining a fair hearing in the asylum process. The reduction in legal aid has led to huge difficulties in finding quality legal representation, and vulnerable women are often left to navigate a strange, complex and hostile system without assistance. Any attempt to find a solution for those who have been denied asylum in the UK must, therefore, start with the problems inherent in the asylum decision-making process, which currently deprives so many of the safety they need.

I say Yes, by E.E.

“I wrote this poem to encourage myself to keep going during this long wait. Hope keeps my spirits up.

The hostile environment of the Home Office, including not allowing people who are seeking asylum to work, makes people destitute and vulnerable to trafficking and abuse.

Let us stand together against all sorts of abuse.”

They say Leave.
I say Stay.

They are hostile.
I am friendly.

They say No.
I say Yes.

They have authority. I have God.

They create fear. I love safety.

They discriminate against people.
I feel equal.

They spread stress.
I meditate and relax.

They say No. I say Yes.

Why refused women stay in the UK

Unsafe to return

"We are here because we've had problems in another place and [we're] trying to save our lives. I don't know why the government keeps saying you can go back to your country," Rose told us. There are several reasons why destitute women may be unable to return to their countries of origin through no fault of their own. Not being recognised as a refugee does not mean that the circumstances in that country are not life-threatening for the woman. Indeed, our unfair system, with its discriminatory culture of disbelief and inadequate application of gender-specific policies, lets down many women who have a well-founded fear of persecution. Monique, a woman from DR Congo, who was raped, imprisoned and tortured because of her political activities said, *"I am scared of going back home. I have been detained three times and tortured three times. The same [people who did this to me] are still in power now."*

I am scared of going back home. I have been detained three times and tortured three times. The same people who did this to me are still in power now.

- Monique

Almost all of the 106 women we interviewed said they could not consider returning to their countries of origin, fearing grave harm or death for themselves or their family members. Some feared that their daughters would be persecuted, having fled to protect them from FGM.

I am afraid for my life back home. Telling me to go back is like asking me to kill myself.

- Elaine

The LGBT women we spoke to could simply not conceive of returning to countries such as Uganda, Pakistan and Zambia, where laws criminalising homosexuality continue to be enforced and homophobia remains so rampant that it would be impossible to lead an open, safe and dignified life. Mercy told us: *"I would be persecuted if I returned home...I fear I might be killed by the society back home. The law in Uganda doesn't protect LGBT persons like me."*

I don't want to get lost, by Ann

"Every month I have to report to the Home Office in London Bridge. I must stay in the system and report. I have been detained once already so there is always that fear.

But I don't want to get lost. I want to stay in touch with the Home Office and one day I will get my papers and then I will be able to rebuild my life. I still have that dream."



Other women we spoke to had lived in the UK for so long that they have established strong ties this country. Some have entered into long-term and meaningful relationships or have children who attend school here. Elaine shared: *"I've been here since 2005. I am afraid for my life back home. I don't have my parents any more. I don't even know where my siblings are. Telling me to go back home is like asking me to kill myself. My daughter is in school here and doing very well. She wants to be a doctor."*

Many of the women we spoke with remain in the UK with the hope that their stories will one day be listened to and believed by the government. Most of the women in our research who had received some form of leave to remain had at first been refused. In other words, they only received status after submitting a fresh claim, highlighting the difficulty women face in being granted asylum.

Almost all of the women said they could not return to their countries of origin

I would be persecuted if I returned home. The law in Uganda doesn't protect LGBT people like me.

- Mercy

For instance, one woman, Alia, who was born in India, fled a forced marriage, violence from her in-laws and trafficking for forced labour. At first, Alia was refused asylum, and made destitute as a result. During this time, she tried to take her own life and suffered a stroke. With charity support Alia eventually secured legal aid for her fresh claim, but only after being turned down by several solicitors. She now has refugee status in the UK, but her experience illustrates how women often have to wait a long time and overcome many challenges in the UK, despite the extreme abuse they have suffered and the dangers they would still face if returned.





Impact of destitution on asylum claims

There is no official data on the number of women who have been refused asylum and remain in the UK after their claims are determined. But our findings clearly show that destitution does not encourage those who fear for their safety to return to their countries of origin.

The failure of punitive policies to push people home was highlighted by a cruel Home Office experiment in 2004. The legal right children have to safeguarding means that families usually continue to receive support even after an asylum claim has been refused. However, the Home Office piloted amendments to Section 9 of the Asylum and Immigration Act 2004, whereby even those with children who had come to the end of the asylum process and exhausted all their appeal rights could have their financial and housing support withdrawn if they failed to take “reasonable steps” to leave. This inhumane practice resulted in 116 refused families having their support withdrawn.⁹⁵ It also failed entirely in its stated purpose, as acknowledged by the Home Office itself, whose

report stated: “The pilot did not significantly influence behaviour in... cooperating with removal.”⁹⁶ Some families even disappeared as a result.⁹⁷

My mind was very bad. I couldn't think properly about my case. I could not think about what new evidence to bring for my fresh claim.

- Rukia

Almost all – 93% - of the women we spoke to said that being destitute negatively affected their ability to think about their asylum claim and plan for a resolution. Many women who had been refused asylum expressed a keen desire to resolve their status, but were too caught up in the daily struggle for food, shelter and safety to think beyond: “Our life is lived day by day. We can't think

Blood in my shoes, by K.M.

"When I had no bus pass, I had to walk long distances to find a night shelter or a church where they gave you a hot meal. There was blood in my shoes. I said to myself, 'I'm strong'.

Now my situation is better but I'm so tired."

in years," says Asha. And as Rukia shared, "My mind was very bad. I couldn't think properly about my case. I could not think about what new evidence to bring for my fresh claim."

The accounts provided to us by destitute women support the findings of previous research showing the extreme scarcity of quality legal representation, caused by cuts to legal aid.⁹⁸ Almost all of the women we spoke to said they needed legal advice when destitute but only 59% were able to obtain it. Women who had been refused asylum particularly struggled in securing solicitors to take on fresh claims: *"I was running around trying to find a good legal aid solicitor after I was refused but no one would accept it...I was feeling suicidal,"* said Marie.

Suhana is also searching for a lawyer to work on a fresh claim: *"I've been to every solicitor in Manchester but none of them gave me free legal advice. Without even looking at my case [properly] they said, 'We don't take fresh claims.'"* Indeed, as stated in Wilding's report on the legal aid landscape in England and Wales, discussed above, "despite there being a number of providers in Greater Manchester, at one point...Tribunal cases had to be adjourned because appellants were unable to find representatives [for First-Tier appeals]."⁹⁹ The need for a fresh claim may arise in various situations, such as when country conditions, case law or individual circumstances change. But a need may also arise "where an earlier adviser has done poor-quality work so that a client with a meritorious case nevertheless loses their appeal."¹⁰⁰

For the women who did receive legal advice for their claims, access did not always equate to quality, with several recalling experiences of malpractice. *"The Home Office wanted evidence of my mental health and something from an expert about the situation at home. It's the solicitor's job to collect these and because he didn't [my case got] thrown out,"* shared Harmony. Several women said that they were assisted by a "community lawyer" – generally a contact made through their local church. However, the quality of legal advice was often reported as poor.

For those who were able to access quality advice, many – like Helen – encountered significant

challenges along the way: *"I only got legal advice once I was refused asylum...But not straight away and it wasn't good [at first]. I struggled a lot...The first solicitor was not helpful. He said my case was so complicated, I would never get status and that I should return home. It made me feel really bad... That solicitor had my papers, so I couldn't go find another one [until I got them back]. He didn't do his job properly. He didn't even come to court with me even though he was meant to be helping me with my appeal. [Eventually] the Refugee Council helped me [to get a solicitor]...once I was refused asylum."* Several women spoke of having travelled long distances in order to find a good, legal aid lawyer. Fatuma recalled, *"My caseworker was in London, I was living in Newcastle and my lawyer was in Middlesbrough."*

Without even looking at my case properly they said, 'We don't take fresh claims.'

- Suhana

Negative experiences with unprofessional lawyers, together with the problems caused by extreme poverty, meant that some refused women temporarily gave up looking for representation. For those women who were unable to secure legal aid, the only "option" was to pay for it – a next to impossible task when there is no right to work and no support. The tiny minority who said they had paid for a solicitor were assisted either by their church, family members (often overseas) or British acquaintances.

Other challenges women face when attempting to resolve their status include the fact that women may only submit a fresh claim in Liverpool, irrespective of where they live and with no government funding available for travel. Unsurprisingly, this policy change has led to a dramatic plunge in the number of asylum-seeking people submitting new evidence, from 162 in 2014 to just 70 in 2017, despite there being an increase of asylum applications during the same period.¹⁰¹

Women's experiences of destitution: Everyday survival

To provide context for the findings that follow, we highlight two research projects on public perceptions of "destitution" and "necessities". Using the views of the general public, the Joseph Rowntree Foundation defined destitute people as those who have lacked two or more of the following six essentials over the past month because they cannot afford them: shelter; food; heating; lighting for their home; clothing and footwear appropriate for bad weather; and basic toiletries; or who had income so low, and with no savings, that they would be likely to lack them in the immediate future.¹⁰²

A different survey, carried out by Poverty and Social Exclusion UK, explored British attitudes to "necessities", defined as those things which everyone should be able to afford and not go without.¹⁰³ Some examples of what the public identified as necessities included a house with heating, meals with daily fruit and vegetables, but also items beyond those essential for survival, such as a washing machine, a telephone, £500 for "unexpected costs", and money for a hobby. Whichever definition one prefers, it is clear that the women in our research were destitute and lacked necessities.

"I go this way, that way, from one charity to another," Aysha told us. Twenty-seven percent of women in our research said they were hungry "all the time" when destitute, while 38% were hungry "most of the time". When asked how they managed to eat with no support and no right to work, a massive 87% of women said they had turned to charities. Antoinette from DR Congo said, "I've relied on charities a lot for food. There are many in London that you can go to for a meal." A report by the British Red Cross on the situation of refused asylum-seeking people in the UK compared giving food to destitute men and women as being "not very different from handing out food from the back of lorries in the Sudan. The humanitarian need is the same."¹⁰⁴

I go this way, that way,
from one charity to
another.

- Aysha



Over a third of women were given food by churches, mosques or synagogues, and over half had at some point turned to acquaintances or strangers (generally migrants) for food – though this form of support tended to be less regular compared to that provided by charities.

Most of the women said that they received money towards other basic needs such as warm clothing, medicine, and travel to legal or medical appointments at some point when destitute. **Eighty-two percent had received money from charities**, which generally took the form of a small hardship grant of £5, £10 or £15 a week. Faith-based institutions and community members also helped the women with money but, again, this was usually a small and irregular payment.

Thirty women told us that they had, at some point, begged for food and money for other essential needs: *“Last week it was my period. I needed a sanitary pad and asked for money in the street,”* shared Angelique.

Almost half of the women we interviewed had been made street homeless. In other words, they had slept in the open air, in derelict buildings or other places not fit for habitation. Women shared stories of sleeping on the streets and night buses, in stations and parks, inside public telephone booths, and on church and mosque floors. Several women slept rough during the winter. **Rosie, who was trafficked from Nigeria, slept outside for a continuous period of six months while pregnant.** Thirteen women had slept rough on so many occasions that they had simply lost count, indicating “a lot of times”. Eight women we spoke to experienced physical violence whilst street homeless.

At the time of this research in August 2019, Jeanne from DR Congo had spent almost a year and a half living destitute. She was not able to recall the precise timeframe that she had spent street homeless, but said it was around four months.

The rest of the time she moved almost every two weeks, staying with various friends and acquaintances.

Eighty-one percent of the women we spoke with had a bed or a sofa when they were destitute. **Fifty-eight percent were accommodated by friends or strangers, and 42% housed by charities and hosting schemes.** But these arrangements were temporary in nature, and most of the women had to move several times when destitute.

Last week it was my period. I needed a sanitary pad and asked for money in the street.

- Angelique

It is important to stress that somewhere to stay did not generally equate to a safe place that the women could call home, where they could eat, sleep and wash as needed. **Fifteen percent of the women we spoke with experienced physical violence at a place they were staying.**

The vast majority of women struggled to keep themselves clean while they were destitute, with around a fifth reporting problems in washing their bodies and clothes “all the time”. This included women who were being hosted by others. Scared of jeopardising the arrangement with a charity’s hosting scheme, Esther shared, *“Because I don’t pay the bill where I live I am cautious of using the washing machine.”*

A lot of women who had been taken in by others felt they had to leave the house from morning until evening in order to “stay out of the way” and work around the schedule of those who were hosting them. Others felt compelled to assist

Almost half of the women had been street homeless at some point

From charity to charity I go, by Ann

“One by one, every week I visit the charities that help women like me. I visit the Jesuit Refugee Service, where I get help with food and transportation. I visit the Red Cross, where I can get a shower and do my laundry. And I visit Women for Refugee Women, where I learn English and about women’s rights.

I’m constantly going around the city, visiting these charities, trying to stay strong.”

their hosts in whatever way was needed. Banned from working, many destitute women felt forced to work informally to survive. **Around 36% of women worked in exchange for shelter or material support.** Veronica, a gay woman from Uganda, found accommodation through word of mouth, working in return for a bed and food: *"I do everything they want me to do. I clean all the dishes every day. I clean the house. I shower the children, take them to school and bring them back."* One night, when Veronica fell asleep on the sofa, she woke up to a burning sensation on her arm. The host's daughter had poured hot tea on Veronica, causing a severe burn and agonising pain. The daughter maintained that it was an accident, but since she had grown increasingly frustrated with having to share her bedroom, Veronica could not help but feel that it was a deliberate act to push her out of the family home. The host told Veronica not to tell anyone about the incident and paid money for her silence. Fearing she would lose the shelter that she had so painstakingly secured, Veronica did not even seek medical attention for her injury.

Mary from Zambia worked for the people she was living with so that she could provide a roof for her young son, who was just five years old at the time: *"It was not easy at all. I would sleep with my son on the floor in the kitchen. When the kids in the family wanted water they would just climb on top of me and my son. Lying there in the morning, it was so cold. And then I'd feel some cold water to tell us it's time to get up and start work. I would wash the family's clothes by hand, even the husband's underwear. I would clean the house, iron, cook, and bring the children to and from school. And all this just for food and shelter. I had no one who I could talk to about my situation. Here I was: from a successful businesswoman in Africa to a slave worker in England."* With nowhere else to go, Mary was forced to live with this family for a year.

Here I was: from a successful businesswoman in Africa to a slave worker in England.

- Mary

Almost a quarter of women reported that they were exploited for work, which included being

underpaid or not paid at all, working morning to night without breaks, and being held captive at their place of work. Yvette told us: *"I worked for someone as a cleaner one day. I worked all day from 9am and she locked me in the house until 7pm when she came back. She then said that I didn't clean properly and didn't pay me anything. When I complained she got me scared by saying that she would call the police."*

The family I was trafficked to said if I told the police they would send me back, so I was too scared.

- Max

Almost a quarter of women had been exploited for work

Several women we spoke to said that the people they worked for used the fear of deportation and detention to prevent them from disclosing abuse: *"The family [I was trafficked to] told me if I would tell the police they would send me back...so I was too scared,"* said Max.

Harbouring a destitute woman and abusing her vulnerability for forced labour amounts to trafficking under international and domestic legal standards.¹⁰⁵ For years now, the government has stated it is committed to tackling trafficking and modern slavery, but this commitment is insincere when viewed alongside its hostile immigration policies.¹⁰⁶ Deliberately driving women into destitution pushes them into exploitative work and prevents them from quitting that work. Furthermore, destitute women – particularly those with insecure status – are scared of turning to the police, fearing that they will then be targeted for deportation. **Seventy-nine percent of women who said they experienced some form of violence or crime said they did not report the incident to the authorities, chiefly due to fears of detention and deportation.** Thus, enforced destitution creates the perfect conditions for slavery to thrive.

Tents, by Antho

"When I see people living on the street in London I feel so bad for them. I came here from the Democratic Republic of the Congo where I went through a lot of persecution. I suffered so much there. I've been refused asylum and when that happened I became homeless.

For a while I lived with a friend but one day she threw me out. She was throwing my things out of the window and a lady who lived below gave me a bag to put my things in and a tent, and she said, 'You can sleep in this tent.' I didn't want to sleep in a tent. As a woman you don't feel safe like that. Anyone can come and abuse you."



Sexual violence and abuse

For various reasons, including personal shame, risk of being shunned by the community, and the trauma associated with sexual violence, the true figures of sexual violence and sexual exploitation are likely to be higher than those disclosed by the women in our research. Indeed, when we shared the research findings with our partner organisations, refugee women with lived experience of destitution told us that, based on what they know about the experiences of other destitute women in their community, our findings on sexual violence and exploitation were much lower than they expected.

“After my asylum claim was rejected, a man from my country said that I should stay with him. But at night he forced me to have sex with him. Because I had nowhere else to go there was nothing I could do.

- Kiki

Even without taking this into consideration, the level of exploitation and abuse among destitute women that we have uncovered is startling. Around a third of the women we spoke with had been raped or sexually abused while destitute in the UK. Almost all of these women had previously been raped or suffered another form of sexual violence in their country of origin. Ten percent of women were raped or sexually abused on three occasions: once in their country of origin, for the second time when travelling to the UK, and again after they were made destitute. Ten women told us that destitution had forced them to have sex in exchange for food, shelter or other material support. Kiki shared: “After my asylum claim was rejected, a man from my home country said that I should come and live in his house. But at night he said that he will have sex with me and, if not, that I should go out from his

house. Because I was destitute there was nothing else I could do.”

31% of women suffered rape or sexual abuse in their country of origin and again when destitute in the UK

Time and time again studies have shown that poverty and low social and economic status are key factors that increase the risk of gender-based violence against women. A rich body of research corroborates our findings that refugee women are forced to turn to transactional sexual relationships and commercial sex work as a survival strategy when destitute.¹⁰⁷ A research project by Dr Vicky Canning found that asylum policies and practices in the UK were at the very least increasing the risk of violence to refugee women, if not actively contributing to it.¹⁰⁸ In particular, the report highlights the impact of poverty and destitution, and how it can push women into transactional sex and other exploitative situations.

Violence when homeless

In 2018, the Asylum Support Appeals Project (ASAP) and the Refugee Council released a joint report on the extent to which the asylum system ensures the safety of women facing gender-based violence in the UK. Considering women at all stages of the process, from before they enter the system, after refusal or after receiving leave to remain, that study found that disclosures of abuse and violence were most frequent among women living in destitution.¹⁰⁹

As we have shown, many women who have been refused asylum become street homeless or are forced to live with strangers. **Three women we spoke with were raped and seven were subjected to another form of sexual violence when they were street homeless. Eleven percent of women told us that they had been raped at a place they were staying, and 13% suffered another form of sexual violence while destitute.** The majority of these were women whose asylum claims had been rejected.

The threat of detention and deportation meant that none of the women who had been refused asylum and who suffered violence felt that they could seek help. Positive experiences were shared by two women who turned to the authorities, with adequate follow-up and protection measures from the police. These, however, were women who had pending asylum applications at the time of reporting.

Intimate partner violence

The policy of enforced destitution is actively pushing vulnerable women into, and keeping them locked in, violent relationships.

Our findings show that many destitute women who have experienced intimate partner violence were left with an impossible choice between becoming street homeless or staying with the abuser.¹¹⁰ Over a third of women said that destitution forced them to stay in a relationship they would not have otherwise stayed in if they were able to meet basic needs like food and shelter. Of those women who chose to share more of their story, 14 disclosed that they were raped by their partner, 15 suffered another form of sexual violence, and 13 were physically abused.

ASAP and Refugee Council have noted that women facing destitution after their asylum claims are refused are at heightened risk of domestic abuse.¹¹¹ Indeed, most of the women we spoke with, who had stayed in an unwanted relationship and suffered sexual, physical or emotional violence from their partner, had been denied leave to remain when the abuse occurred.

Change, by Jeancy

"The system tries to bring destitute women down. But you are like anyone else. You have the right to speak like anyone else. My message to destitute women is: 'Don't ever feel that you are no one. Things can change.'"



Barriers to reporting violence

Only eight women in our research who experienced rape, sexual or physical violence approached the authorities for help. The vast majority were just too scared to report. Some of these women had been detained previously and, already traumatised by the experience, were afraid of the prospect of further detention. Many others were afraid of contact with the authorities due to their traumatic experiences in their countries of origin.

Research carried out in 2019 by King's College London and the Latin American Women's Rights Service revealed that two in three migrant women who experienced domestic abuse feared that if they reported it, police would not support them because of their insecure immigration status.¹¹² In our research, only two of the women who had been refused asylum, who were in abusive relationships, chose to seek help from the authorities. In one case the police did not follow up, and in the other the woman was arrested for causing harm to her partner in self-defence. Concerns about being detained or deported stopped some women who had been refused asylum from even approaching health services or charities for support whilst in the abusive relationship. Patricia explained why she did not visit charities for help, *"I was very scared that they would let the government know where I am."*

My partner told me I was illegal and that I could not report anything...he said he would have me deported.

- Tanisha

Several women in our research, like Tanisha, shared stories of how the threat of detention and deportation was weaponised by their partners, keeping them trapped in violent relationships: *"My partner told me I was illegal and that I could not report anything...he said he would have me deported."*

Research conducted by other organisations supports our finding that abusers use women's fear of immigration enforcement. For instance, research by Imkaan found that 92% of migrant women with

insecure status, who stayed in an abusive relationship, were threatened with deportation by their abusers:¹¹³ *"Coercive control exerted by the perpetrator, combined with women's insecure immigration status, can contribute to feelings of fear, particularly around the possibility of being removed from the UK... [which] can manifest itself in an unwillingness to report abuse to authorities."*¹¹⁴

This fear of immigration enforcement is not only perceived but also real. Unlike other public service providers, the police are not under a legal duty to share data on undocumented survivors with the Home Office when they encounter them.¹¹⁵ Despite this lack of obligation, recent figures have revealed that 60% of UK police forces were handing over victims of crime to the Home Office.¹¹⁶ The practice of data sharing provides the perpetrator with additional control and harms vulnerable women by scaring them away from reporting abuse. It also flouts international efforts to combat gender-based violence, such as the Council of Europe's Istanbul Convention, which states that the police must respond promptly and appropriately to all forms of violence covered by that treaty, offering "adequate and immediate protection" to all victims, irrespective of "migrant or refugee status".¹¹⁷

One night, after being beaten severely by her partner with a baseball bat, Gracie made a visit to her local hospital: *"I was being sexually abused. I was so ashamed that I wanted to kill myself. I had no money, no food. I didn't have a phone because my abusive partner took it from me. I didn't have anywhere to turn to."* Upon the advice of the doctor who treated her, Gracie approached the police to report the violence she had suffered at the hands of her partner over the course of seven years. She was offered no support whatsoever. Instead, the police questioned Gracie about her immigration status and immediately contacted the Home Office after discovering that her visa had expired. Gracie was then locked up in immigration detention for three months.

Southall Black Sisters have noted "a steady rise [since 2014] in cases where the police have arrested [or reported survivors] to the Home Office as potential illegals rather than deal with their reports of violence and rape."¹¹⁸ Following a legal challenge, the Metropolitan Police Service revised

Only eight women who experienced rape, sexual or physical violence felt able to report the crime to the authorities

its internal guidance on data sharing. However, the finalised version, launched in August 2019, was almost identical to the previous policy, stating that it is “wholly appropriate” that an officer “should” contact immigration enforcement where “the victim/witness is also suspected of being an illegal immigrant.”¹¹⁹ This applies equally to survivors of domestic or sexual violence.

I was being sexually abused. I was so ashamed that I wanted to kill myself. I had no money, no food. I didn't have a phone because my abusive partner took it from me. I didn't have anywhere to turn to.

- Gracie

It is clear, therefore, that there are no safe ways for women who have been refused asylum to report domestic or sexual violence and bring their abusers to justice. In fact, the UK legal and policy framework as a whole offers sparse protection and support to survivors who have insecure immigration status. In July 2019, the Home Office revised its guidance on domestic abuse, committing to a prompt response to reports of gender-based violence and a funding mechanism to allow women to access specialist refuge accommodation.¹²⁰ Whilst the new policy marks an expansion in scope, it still falls short in protecting all women. Only those who can show that they are eligible to receive housing and financial support from the Home Office are protected by the new measures, thereby excluding the vast majority of vulnerable women who participated in this research.

Barriers to support

As well as being unable to report violence safely, women who have been refused asylum are also at a huge disadvantage when it comes to accessing support. Refuge services in England as a whole are in the midst of a funding crisis, with 60% of all referrals being declined in 2017-2018.¹²¹ Women who have been refused asylum face an additional

hurdle of not being eligible for welfare benefits, which are generally required to cover the cost of a stay at a refuge. Research by Women's Aid shows that during 2016 to 2017, only 5.4% of vacancies for refuges would consider applications from women with no recourse to public funds.¹²² The insurmountable difficulties in securing a place in a refuge for women who have been refused asylum is often observed by frontline staff at Women for Refugee Women.¹²³

For some survivors, the Domestic Violence Rule provides a means through which to obtain indefinite leave to remain in the UK, and therefore to work or access mainstream benefits. But this route is available only to women on spousal or partner visas.¹²⁴ This is in spite of the fact that refused women are disproportionately impacted by homelessness, a lack of financial resources, and fears of detention and deportation - factors which significantly increase their risk of intimate partner violence.

According to the Home Office, “our measures to protect women... from violence are already some of the most robust in the world. In virtually all respects we comply with, or go further than, the Istanbul Convention requires.”¹²⁵ Yet the current framework, and the Domestic Abuse Bill that was published prior to the 2018 General Election, show that this is simply not true. The draft legislation, which was intended to ratify the Istanbul Convention, failed to extend protection and support to women with insecure immigration status, even though the treaty is unambiguous in its commitment to ensure that *all* survivors are afforded protection.

A woman who has been refused asylum, is living destitute and fleeing a violent relationship, and who cannot show that she is eligible to receive asylum support, will be entirely dependent on the hospitality of community members and charities. But any form of shelter, if the woman manages to secure it, is always temporary and, according to our findings, often dangerous. With no right to work and no financial support, the risk of her falling back into an abusive relationship remains high.

It is clear that the policy of enforced destitution, in combination with other elements of the hostile environment that make it difficult for those with insecure immigration status to report violence or access support, are keeping vulnerable women trapped in a cycle of violence while simultaneously allowing abusers to exploit with impunity.

Pregnancy and children

14% of women became pregnant while destitute

Fourteen percent of women reported that they became pregnant while destitute in the UK. We did not ask whether these pregnancies were wanted or what subsequently occurred. Several women did, however, choose to share additional details. Nora stated that she had three miscarriages when she was made destitute: *"I lost two of those babies because of the beatings in my relationship."*

I lost two of those babies because of the beatings in my relationship.

- Nora

Since some women shared stories of being forced to have transactional sex, it is possible that a number of pregnancies were conceived as a result: *"I had sex for work. No wonder I fell pregnant, even though I am an older woman,"* said Christina. It is equally possible that some of the pregnancies resulted from having been raped in the UK – something which affected 21% of women we spoke with.

Women who are caring for children when their asylum claim is refused are, in theory, entitled to continued support until their children turn 18. Women can file an application for support with their local authorities, which, under Section 17 of the Children Act, have a duty to safeguard children within their area.¹²⁶ Yet, 15% of the women we spoke to had children they were looking after when destitute. Although most went on to receive social services or asylum support, the effects of destitution were felt by children before their mothers began receiving that support. Mirlinda told us: *"My daughter has to walk so far to get to the city centre because we have no bus pass and no money to travel. She doesn't complain but we feel her pain... I keep on saying 'no' to her [because of our situation] and it's building up inside of her, I can tell. The other day she asked me why we couldn't go on trips like the other children from school. These are foundational years. The effect that [our situation right now] will have on her and what she will think of me in the future, that kills me to be honest."*

Seventy-five percent of the women we spoke to who were caring for children while they were destitute said their children were unable to sleep well, and 56% said that they went hungry and without warm clothing. Over a third of the women reported that their children suffered from poorer health and missed school, while the family were destitute.

We did not set out to examine the implementation of Section 17, but it is clear from research that support under that provision is increasingly hard to access. The Children's Society noted that 6 of 10 families with no recourse to public funds who applied for Section 17 support were not assisted by their local council.¹²⁷ Noting similar challenges, the charity Project 17 has found that "[m]isinformation, attacks on credibility, intimidation, aggression, and disrespect on the part of local authorities leaves families destitute and at high risk of exploitation. Of the children in [our] study, 24% were left street homeless by a local authority."¹²⁸

My daughter asked me why she couldn't go on trips like the other children from school. The effect that our situation right now will have on her and what she will think of me in the future kills me.

- Mirlinda

There is a wealth of evidence on the link between poverty and a child's physical health and development.¹²⁹ Studies have also shown that children born into poverty face a higher risk of mental health problems, which can have serious and long-term effects on their educational outcomes and social relationships.¹³⁰ Yet, instead of protecting these children and allowing them to develop to their full human potential, our government punishes them because their mothers were forced to seek refuge.

Physical health

Given their precarious living conditions and the severe stress of destitution, it is unsurprising that **almost all of the women said their physical health deteriorated while they were living destitute, with 70% of women saying it became "much worse"**: *"My blood pressure got so high because of the stress. I lost consciousness twice and had to go to the hospital,"* said Yolanda. Similarly, Hannah shared: *"I was working out of good will for a lady I was living with in return for a place to stay. Once when I was cleaning the garden I got stung by [something] and somehow my leg got infected. I had to go to hospital because my leg was rotten. I stayed there for two weeks and after that I had to go regularly. This went on for a year. The lady didn't care about my leg. It was my problem, she said."*

The harrowing experiences suffered by women in their country of origin and while living in extreme poverty in the UK highlights the need for access to healthcare. Yet, **over a quarter of women in our research were unable to access medical treatment while destitute.** Women seeking asylum, including those who have been refused, may access all NHS services - both primary and secondary care - free of charge in Wales, Scotland and Northern Ireland. This is not the case in England, where many refused women may have to pay for some services.¹³¹ Destitute (and refused) women can, however, apply for HC2 certificates to cover prescriptions and to claim repayment of travel costs to attend hospital appointments. But our findings suggest that insufficient awareness among the women of their entitlements prohibits access. As Mariam told us, *"I didn't know I had access to medical care until Restore told me. [They] registered me with the NHS... and that was when I got medication for my mental health... after suffering for so long."*

Moreover, whilst the HC2 certificate is a positive aspect of healthcare policy, travel costs may restrict access to treatment, particularly for refused women, like Sarah, who have no source of income to travel in the first place: *"The train to the hospital was about £15 and because [I had no cash] I sometimes missed my appointments."*

Although this was not explored in our research, upfront charging for non-urgent planned care is also a barrier for accessing health services. In 2017, the government

introduced regulations requiring all hospitals to check the eligibility of patients for free planned care, and made owing a debt to the NHS (of £500 or more) grounds for refusing leave to remain.¹³² Research suggests that destitute women, including pregnant women, have avoided important care because of these changes.¹³³

I was afraid to go to A&E because I was scared of being sent back home.

- Geeta

Very real fears of detention and deportation also discouraged some women with insecure status from seeking medical care. Geeta told us, *"I was afraid to go to A&E because I was scared of being sent back home."* Several women said that abusive partners, traffickers or families they were working for compounded those fears. As Victoria shared: *"I was told I can't go to the hospital by the people who brought me to this country. I was scared."*

Under the hostile environment policy, certain NHS data, including a patient's last known address, were secretly shared with the Home Office in order to trace those believed to be breaching immigration rules.¹³⁴ This practice was heavily criticised by doctors, charities and MPs for deterring sick migrants from seeking urgent medical care. Despite suggesting last year that data sharing would cease, the government continues to use the NHS as an immigration enforcement tool.¹³⁵

For some, poor physical health was exacerbated by fear of deportation or inability to access medical treatment. One woman in our network, Stephanie, who escaped political persecution and sexual violence in Cameroon was refused asylum in the UK. She postponed breast cancer treatment for a year because she was afraid that the Home Office would deport her. When Stephanie collapsed in the street, she was taken to hospital but initially struggled to get the care she urgently needed due to her insecure immigration status. When she did finally manage to access treatment, it was too late. The cancer had spread and Stephanie has since died.

Over a quarter of women were unable to access medical treatment

Period poverty

Whilst the issue of period poverty in the UK has received some attention, there is insufficient awareness of how it affects refugee women, particularly those who are made destitute.¹³⁶ Plan International UK found that 10% of girls in England and Northern Ireland were unable to afford period products.¹³⁷

Our research revealed that **65% of destitute women struggled to obtain period pads or tampons**, forcing them to overuse a period product, improvise period wear or beg for money to buy a pad. Those women who never struggled were either consistently given period products by charities and other groups, or no longer had periods due to their age or health issues.

Almost one in ten women struggled throughout the entire time that they were destitute – several years for some – whilst around one in seven struggled “most of the time”. Angela shared: *“I would [go to] any public toilet to get tissues that I could use instead. I was too ashamed to ask a stranger for a pad. I’ve worked before. I’ve been independent in my country. It felt shameful to ask someone to take care of my period... I had no money of my own. No money to get the bus... There were charities that gave out pads but I wasn’t able to go there unless [someone] took me. And when I got there, there weren’t always enough. So many [refugee] women were in the same situation; we all needed the pads. So if I didn’t get any from charity, I was forced to find another way... [Once] I had to use my baby’s nappy as a pad. That was so degrading.”*

If I was given a bit of money by a friend, it was hard to decide what to do. Do I buy nappies for my child or a pad for me? I always sacrificed the pads.

- Angela

Jolie recalled a day when she was homeless and her period started unexpectedly: *“There’s one day that*

I will never forget. I was... living for a short while with a family that I met through church. My period started suddenly and I didn’t have any pads. So I went to Tesco to use the toilet there and put some tissue in my pants. When I came out it was raining so heavily, but I couldn’t just go back to the house. I often spent all day outside because I was never given any keys and had to wait for the family to get back. I was wearing a white skirt that got so wet, and because I didn’t have a pad blood stained my clothes. I was so embarrassed. I ran back to the house to see if there was anything hanging on the washing line that I could wear. There was a long cloth, and even though it was wet, I wrapped it around me. Then I went to the closest McDonalds, tore my white skirt, and used a piece as a pad.”

I used to put tissue on top of pads to make them last longer. One time this caused me an infection. The doctor said that it was from wearing pads for too long.

- Testimony

Several women reported that the stress of destitution changed their menstruation cycles. The majority said that their periods became heavier, while others were at risk of infections. Testimony told us, *“I used to put tissue on top of pads to make them last longer. One time this caused me itching. I had to get antibiotics and the doctor said that it was from wearing pads for too long.”*

In March 2019, the NHS announced that it would offer free period products to women and girls in hospital. This was followed by a government commitment to provide free sanitary wear in secondary schools and colleges in England. While these measures are important, they are wholly insufficient for supporting destitute women, particularly those who have been refused asylum and may be reluctant to approach public service providers.

Isolation

In 2018, the government launched its first ever strategy to reduce loneliness.¹³⁸ It marked a commitment to understand the extent and causes of loneliness, and to integrate loneliness as something to be considered across government policy.

A House of Commons briefing paper identifies factors that increase the risk of loneliness: gender (with an acknowledgment that women are more likely to feel lonely when bringing up children); lower income or socio-economic status; unemployment; homelessness; having few friends; and being from a minority ethnic group.¹³⁹ Most of these factors apply to all destitute refugee women, especially those whose claims have been rejected. Yet, missing from the strategy is the impact of destitution on migrant loneliness. Instead, the strategy focuses on the lack of English as the key barrier to civic participation.

Isolation is inevitable for people who are intentionally denied a livelihood. It is, therefore, disingenuous to make a commitment to end loneliness whilst neglecting one of the most high-risk groups. Twenty-seven percent of the women we spoke with had no friend or community member that they could turn to when destitute. **Eighty percent said they felt lonely.**

All of the women from this research were attending local support groups at the time of participation. However, many women said they did not become aware of charities and support groups for some time. It is safe to say, therefore, that the real extent of isolation among destitute women is likely to be much higher than revealed in this research.

Many women had to balance their need for shelter with the likelihood of social isolation. As Meena explained, *“The charity I spoke to could only offer me a place outside of London, but I didn’t want to go there [as] I would be lonely.”* Destitute women were often forced to accept housing away from personal contacts, churches and refugee communities – crucial networks for fostering a sense of belonging in a new country.

The government’s briefing paper, discussed above, acknowledges that people who are LGBT may be at

heightened risk of loneliness. Similarly, our research found that isolation was often more pronounced among LGBT women, with many feeling scared to come out in the UK. As Joy said, *“Having been rejected due to my sexuality [in my home country], I am still living in fear to openly declare that to others [here] as I need their support.”* Many women spoke positively of the strength and solidarity they found through churches and faith-based groups, but some lesbian women were shunned or felt the need to hide their sexuality. Veronica from Uganda used to attend a church in London until a fellow churchgoer shared her suspicions about her sexuality with other members, urging them to “keep away”. The churchgoer also told the pastor, who asked her to bring Veronica to him, so that “the devil could be released”. Since that incident, Veronica, whose faith was always a source of comfort, has not been to any church in the UK.

Having been rejected due to my sexuality in my home country, I am still living in fear to openly declare that to others here, as I need their support.

- Joy

On a more positive note, one woman, who was forced to leave her children behind in Uganda, described the local groups she attends as “her new family”. Several women emphasised the importance of women-only spaces, which is unsurprising given that the majority had suffered violence at the hands of male perpetrators. Similarly, some LGBT women shared their experiences of being part of Rainbow Sisters, a group within Women for Refugee Women specifically for lesbian, bisexual and trans women. For many who attend this group, this was the first time that they could be open about their sexual orientation without fear of being judged, ostracised or harmed. The importance of groups like Rainbow Sisters to the wellbeing of destitute women, who are deliberately excluded by our government, cannot be over-emphasised.

Veronica's story:

To be myself is my only choice

I've lived in England for 19 years. As a gay woman from Uganda, it's definitely safer here. But I don't feel free because I don't have status. I'm not being beaten up by the government because of my sexuality, but the torture of being destitute has caused so much stress over the years. Since my refusal in 2004, I haven't got any support or housing from the government. And I'm not allowed to work.

I never met my father and my mum died when I was four years old. So I was brought up by someone from my community and moved to the city. I knew I was gay from a young age. But in Uganda there was no way I could come out because it's not accepted there. It's so dangerous for people like me.

My guardian was really disturbed by my lesbianism. She paid police officers to beat me up 'to get rid of the devil.' They tortured and raped me.

When I was 14, I was caught having sex with my girlfriend at the boarding school we attended. The school threw me out and that was the end of my education. It was also when my guardian found out about my sexuality, and things were never the same after that.

My guardian, who was a well-connected woman, was really disturbed by my lesbianism and also afraid that it could put her safety at risk. It disgusted her so much that once she took me to the police station and paid the guards to beat me up to "get rid of the devil." The guards tortured and raped me.

My guardian also tried to marry me off to an elderly man: "This man has money. He will look after you." Over the years, she was trying to get rid of me. In the end, she made arrangements to send me to the UK. She didn't want anything to do with me and I haven't heard from her since.

I arrived in the UK in 2000 on a visa and was detained in Yarl's Wood in 2004 after it expired. Because of what happened to me in Uganda, I was so terrified of being sent back; as a gay woman, it's not just the government you have to protect yourself from but also the community. So I tried to kill myself in detention by hitting my head against the wall of the cell.

When I applied for asylum I told the Home Office that I'd fled for political reasons. I was too ashamed and scared to talk about my sexuality; I hadn't come out then and it was so traumatising to remember what I had gone through in Uganda. The fear of being deported was the only thing I could focus on. And I didn't understand the consequences of what I was doing.

My asylum interview took place in Yarl's Wood. It was so hostile; I felt the aim from the beginning was to refuse my case. The officer just wanted short answers and never offered me a break. So how was I meant to talk about being gay, something so personal and frightening that I hadn't shared openly before?

I was released from detention after my refusal, which came about two weeks later. I made an appeal but that was also rejected. And that's when I became destitute because my support stopped. Life became incredibly difficult after this. I would stay with my friends, on their sofas, but eventually they got tired and abandoned me. One time I went to stay with John, a British man I knew before I was detained. He was the only person I had told in the UK about being gay. I respected him, he had a wife and children, and he had tried to help me. But he wanted to have sex with me, so I was forced to leave his place.

I slept outside, in telephone booths, on the streets and on night buses. I slept on a night bus every night for three weeks one time. Once when I was sleeping outside a British woman called Susan approached me. She asked why I was on the street and took me to her house. Susan and her husband, David, were so kind to me; they let me stay with them for about 5 years until they permanently left the UK.

I became desperate again. I have moved house so many times, I can't even remember. Every time I've stayed with someone I've ended up working for them. I just feel like it was always expected of me. I've ended up cleaning, washing the clothes, looking after children, all in return for a roof and some food.

I slept in telephone booths, on the streets and on night buses.

For a long time it felt like being gay made everything worse; I felt so isolated. Apart from John, I didn't dare tell anyone else, and especially other migrants or refugees from my community. There's such a taboo about homosexuality.

I visited a church sometimes. I'm not very religious but I found peace in praying. But one day a woman from the congregation told some of the others that she thought I was gay, telling them to keep away from me. She even told the pastor and he asked her to bring me to him so that "the devil can be released." I never went back to church.

One night when I was sleeping on the night bus a man who was from my country started talking to me and told me to visit a charity in London for support. Until that point, I had no idea that there were groups that could help me with things like food, clothes and period pads. I've relied so much on charities ever since Susan and David left. Eventually, I found out about groups specifically for LGBT women. And that's what led me to come out in 2015. Ever since I came out, I feel beautiful in a way that I didn't before.

I now live with an African woman and her children; she's an acquaintance of a friend of mine. I've been there for about two years now, but I don't feel safe or comfortable. There was an incident that happened recently that disturbed me so much. One night when I fell asleep in the living room, I woke up suddenly in so much pain. The daughter, who I share a room with, had dropped some hot tea on my arm. She said it was an accident but I feel that she's really frustrated with me staying in her room. The family told me not to tell anyone about what happened and gave me some money to keep quiet. I didn't even go to the doctor for the injury even though I was burnt badly. My mind has not been stable since they did this.

I do everything the woman wants me to do. I clean the whole house, shower the children, take them to school and bring them back. I feel like she's always discouraging me in one way or another to get status. I know it's not in my head. It's like she wants me to be stuck so that I can stay in that house and work for her. For example, she doesn't let me use the house address for anything. I wasn't even allowed to use her address for the GP, and she wants nothing to do with immigration. So my solicitor hasn't been able to send any documents there. I would never live there if I had a choice.

I've recently made a fresh claim, thanks to Women for Refugee Women. They found a good legal aid lawyer for me, who helped me to prepare a new claim based on my sexuality. I haven't got support or housing yet.

I am not in touch with anyone in Uganda. I have no brothers or sisters. But in a way I've found a new family in the LGBT women I've met here, through groups like Rainbow Sisters. They have backed me up a lot and given me the confidence to keep going, even though I don't know what's going to happen next.

There was a time I was going to kill myself, but today here I am. Ever since I came out, I feel beautiful in a way that I didn't before. I want to tell other gay women who haven't been believed to keep fighting until the end.

If I get status, I would love to work with charities and volunteer in the community. I would also love to act and to write. All of this I want to do to help other gay women who've applied for asylum, by telling them my story and the process of coming out, and to give those who haven't been believed some hope, to tell them not to give up. There was a time I was going to kill myself, but today here I am. I want to tell those women to keep fighting until the end.

Mental health

“At night I have nightmares, like someone is suffocating me. I don’t like to go to sleep. Sometimes I wake up and cry into my pillow,” said Annette. The stigma surrounding mental health issues may have resulted in under-reporting by the women, particularly on suicidal thoughts, suicide attempts and self-harm. Nevertheless, the figures we have are unambiguously shocking.

Almost a third of women tried to kill themselves while destitute

At night I have nightmares, like someone is suffocating me. I don’t like to go to sleep. Sometimes I wake up and cry into my pillow.

- Annette

Destitution has a devastating impact on the emotional wellbeing of women, with almost all women in our research stating that their mental health deteriorated, and 78% reporting that it became “much worse”. Around a third of the women we spoke to said they had tried to kill themselves while destitute and another nine had self-harmed. Almost all of the women we spoke to said that destitution made them feel depressed.

Mental health concern	Percentage of women
Lonely	80
Afraid	83
Depressed	95
Suicidal thoughts	56
Self-harm	24
Attempted suicide	32

Governments past and present have applauded Britain’s tradition of giving sanctuary to people seeking safety. But the reality is that the UK’s asylum system – with its entrenched disbelief, indefinite detention, enforced destitution and fear of deportation – often serves to compound the trauma of many vulnerable women.

The mental health of destitute women is impacted considerably by both their pre- and post-migration experiences. So many of the women in this research experienced traumatic events before coming to the UK, suffering rape, torture and captivity, or witnessing disappearances and horrifying acts of violence against loved ones and neighbours. Several women described the pain of being separated from children they were forced to leave behind – or had lost – during conflict and displacement.

Then there is the journey to the UK, during which 45% of women were subjected to rape, sexual violence, imprisonment, torture or other physical abuse. More specifically, 17 women had been raped on their way to the UK. Once they reach our shores, trauma may then be compounded by the asylum process. For many women, like Josephine, the disbelief, the lack of free and quality legal representation, and the lengthy wait before decisions are issued were a source of severe stress: *“I was traumatised by this asylum system. I don’t think my mental state [will] ever be the same again.”*

I was traumatised by this asylum system. I don’t think my mental state will ever be the same again.

- Josephine

Language difficulties, the societal stigma connected to being an “outsider”, and being unable to work heightened feelings of isolation. The sense that skills were being wasted damages self-confidence and self-worth. *“It’s a miserable situation...I want to do a lot but I can’t because I don’t have anything. I feel like I am detained in prison,”* said Una. Rachelle also shared: *“[My] life is reduced. [I’ve] become useless.”*

Many of the women who took part in this research had been locked up in immigration detention in the UK. Asylum-seeking women may be detained upon

arrival, while their claim is being processed, or after refusal (with a view to forced removal). Even where conditions in detention centres are reasonable, the impact of being locked up indefinitely (there is no time limit on immigration detention in the UK) is extremely damaging to mental health, as our previous research on detention has shown.¹⁴⁰ One in five women we spoke to for our *Detained* report said they had tried to kill themselves in detention, and 40% of the women we interviewed for *I Am Human* said they had self-harmed while detained.

The trauma is exacerbated further for those who are forced into destitution. As Dee told us: "I'm too

busy thinking about where I will stay, where I will eat, maybe they will deport me... You feel your life is at risk every day."

Not knowing where the next meal would come from or what the night's bed would be, being sexually abused or locked in a violent relationship, and fears of being returned to the dangerous situations they fled, is an indefinite reality for many women in the UK today. The uncertainty of what is next, and whether there will ever be a chance to rebuild their life, haunted almost all of the women we spoke with.

On her own, by Jeancy

"Everyone else has somewhere to go, somewhere to be. But she doesn't.

She is just sitting and thinking: 'Where can I go to get something to eat and drink? Where can I warm myself?

When life is this hard you stop caring about the future. It sucks your energy and your hope, you just feel exhausted."



Where the women are now

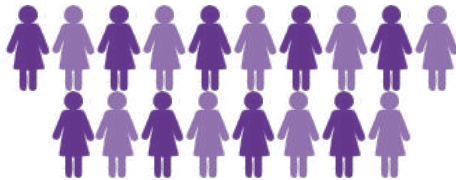
At the time of this research, 16 of the 106 women who took part had been given some form of leave to remain in the UK, and of these 10 had been granted refugee status.¹⁴¹ Around two thirds of the women were still living destitute with insecure immigration status. The majority of these women had no pending application, trapped in an indefinite limbo – unable to return to their country of origin, yet banned from building a life in the UK.

The trauma of past persecution and the constant struggle for survival meant that not all the women could be precise about how long they were destitute. Based on those who were able to recall more clearly, 18 women had spent between 4-6 years in destitution, eight women had spent 7-10 years, three women between 11-15 years, and one woman had lived for more than 15 years with no support, no housing and no right to work.

Periods of time spent destitute

(for those who could recall)

4-6 years



7-10 years



11-15 years



>15 years



Given the grave harm caused by destitution, many readers will ask why these women do not return to their countries of origin. Heartbreakingly, nearly all of the women we spoke with saw destitution as the lesser of two evils – despite the homelessness,

sexual violence and depression that they experienced. Almost all of the women were scared of persecution in their countries of origin and, consequently, had not considered returning. Many had also established strong ties to the UK. Over half of the women had lived here for over ten years, almost a quarter for 15 years or more, and four had spent more than 20 years here.

Being destitute, it's very unsafe for me as a woman.

- Divine

As has been well documented over the years, traumatised people seeking sanctuary are often put through an impossible test in our asylum process. They are met with disbelief from Home Office decision-makers, and frequently left without the legal support they need for a fair hearing.

At the same time, successive governments have introduced punitive policies to push those who have been refused asylum to leave – possibly to face, once again, the very persecution that they have often risked their lives to flee. The racism endemic in our system was exposed most recently by the Windrush scandal.

Our asylum system is also markedly sexist, denying refuge to many women who have experienced serious gender-based violence, and often forcing them into abusive and exploitative situations: *"Being destitute, it's very unsafe for me as a woman,"* said Divine.

Almost all of the women we spoke with said they wanted to work, and expressed hopes that they would one day contribute to the British economy and its communities – dreams that are shared at the end of this report. Yet, instead of harnessing these women's resilience and building strong societies with them, we punish them for seeking safety.

The policy of enforced destitution is ineffective and severely harmful. It is time to end this practice and build a different asylum system so that women who flee extreme abuses get a fair hearing and an opportunity to rebuild their shattered lives.

Recommendations

This report shows that forcing women who have sought asylum into destitution is inhumane and humiliating, and also pointless.

The destitution of asylum-seeking women in the UK should end.

Immediate steps to end destitution in the asylum process include:

- 1 Improving access to asylum support so that all those who make an asylum claim can live with dignity;
- 2 Granting people seeking asylum the right to work if their case has not been resolved within six months;
- 3 Extending the period in which those who are granted leave to remain continue to receive asylum support, so that those whose asylum claim is recognised are not suddenly forced into destitution;
- 4 Ensuring support continues for those refused asylum until the point at which the individual has regularised their immigration status in the UK or has returned to their country of origin.

Immediate steps should be taken to ensure the safety of women experiencing - or at risk of - violence. These include:

- 1 Ending data sharing between NHS and others and the Home Office so that women can seek help with confidence;
- 2 Separating immigration enforcement from police responses to victims of crime, so that women can report violence and seek justice without fear;
- 3 Enabling women with insecure immigration status to access refuges and support when they experience sexual and domestic violence, so that they can find safety.

Overall, the UK needs a just and transparent asylum system in which each individual gets a fair hearing. This must include:

- 1 Ensuring that Home Office decision-making is fair and recognises the impact of gender-based violence on women who seek asylum;
- 2 Revising the legal aid system so that all those claiming asylum can access quality legal representation.

Our partners

This research would not have been possible without the generosity, support and leadership of our partner organisations.

Women Asylum Seekers Together Manchester

Women Asylum Seekers Together (WAST) Manchester is a charity led by and for women seeking asylum. Founded 14 years ago, WAST aims to empower its members, building both practical and emotional capacity to recover from persecution, often gender-based violence, experienced in their countries of origin and to survive life in the UK. The women-only, secure, non-judgemental, secular and accessible space that WAST women have created is central to their safety and wellbeing. Women share experiences, support one another, have a voice and are valued. WAST group activities – such as the choir, dance, drama (the WAST roadshow), sewing, English classes, information and women’s rights workshops, as well as support groups and the drop-in – aim to improve women’s physical and mental health, and help them to learn about their rights and build their confidence. Specialist advocacy and advice volunteers and agencies run regular sessions at the drop-in. WAST also helps to break down barriers women face in accessing services, especially women’s safety and immigration services. At WAST, women have their voices heard and gain the confidence to speak out both within the group, and to the wider public. They campaign and raise awareness about the injustices they face as they experience the realities of the UK asylum system.

Swansea Women’s Asylum and Refugee Support Group

The Swansea Women’s Asylum and Refugee Support Group is run by and for asylum-seeking and refugee women in Swansea with the support of women from the host community. Since 2006, we have organised at least one activity a month for our members who, over the years, have come from 24 different countries. Our aim is to provide support and encourage wider social and civic engagement of the women by building their self-esteem and skills. We focus on collaboration and network building in the UK, including with arts, community, environmental and women’s groups;

museums, art galleries and universities. We work with the Hate Crime Unit of South Wales Police, so that women feel able to report with confidence. At the same time, we work closely with Swansea City of Sanctuary, providing mentors and outreach speakers, and regularly participating in the Asylum Advocacy Group to advance the rights of asylum-seeking women in Wales. Our members are also active across the city in multiple ethnic support and community groups, working on a range of cross-cultural projects. Our poetry workshops for refugee and asylum-seeking women have led to published collections of women’s writing and readings in many venues from literary festivals to the Welsh Senedd and the British parliament.

Coventry Asylum and Refugee Action Group

Coventry Asylum and Refugee Action Group (CARAG) is run by migrants, refugees, and asylum-seeking men and women who have come together to share experiences, support one other, and advocate for rights in the UK. Members of CARAG speak out about experiences of undergoing the immigration and asylum process, and try to improve things for ourselves and for those who come to us for support. We believe that all migrants and people seeking asylum should be treated fairly and with dignity, including those who have been refused asylum. We discuss issues facing people seeking asylum in the UK, which include accommodation, health care, legal aid or education issues. Members of the group share experiences and advice to support and help resolve these problems. The group is also a great place to meet and make new friends over a meal and refreshments. We regularly invite people and speakers from other organisations to attend our meetings in order to share their views and ideas, and provide support and advice to our members. CARAG has been involved in several campaigns concerning the rights of asylum-seeking people in the UK. We build partnerships with other groups, for instance by attending protests and demonstrations, and collaborating in research projects.

Women Asylum Seekers Together London

Women for Refugee Women hosts WAST London – an open and inclusive network of women who have come to the UK seeking sanctuary from persecution. Every week, over 100 refugee and asylum-seeking women come to WAST and take part in activities that develop their confidence and skills. Current activities include yoga classes, English lessons, a group for mothers and toddlers, a group for lesbian, bisexual and trans women, and workshops on intersectional feminism. An advice service provided by Notre Dame Refugee Centre is also available. To make change, women's voices need to be heard. To this end, women at WAST participate in a range of activities that help women to build their skills as advocates, including drama, public speaking and storytelling. Above all, WAST provides a warm, friendly space in which refugee and asylum-seeking women in London can meet, share and learn.

Women with Hope Birmingham

Women with Hope, a small Birmingham group, meets regularly to provide opportunities for refugee women to make friends and socialise with each other and with volunteer supporters. The meetings help women to learn about many aspects of daily living and aim to make them more aware of their rights and responsibilities under UK law. Friendships and networks are developed and skills in speaking and understanding English grow alongside. Volunteers, supporters and refugee women speak outside of the meetings to a wider public audience in order to raise awareness and understanding of the needs of asylum-seeking people and women in particular. In this way, Women with Hope tries to promote greater public understanding of the experiences of refugees and those seeking asylum, especially women.

In 2018, refugee women from across the country came together at parliament to demand safety, dignity and liberty for all women.

Photo: Ro Murphy



The hopes and dreams of destitute women

I wish they could consider us as human beings.

I want to support myself and have a home where I can sleep.

If they give me papers I will work and help improve the country.

I want to be a care worker.

I want to get a good job and be reunited with my children.

I hope to protect my children's future.

I want to get my paper, so I can start working and pay tax.

I want to be free and be myself.

I want to rebuild my life and contribute as much as I can to society.

I want to marry my girlfriend and work with the NHS.

*I love the people here even though the Home Office treats us bad.
If I get my papers the future will be fine and I will move forward.*

I want to give back to the community.

*I would like to be a social worker with counselling because
I've gone through a lot and think I can counsel.*

I want to be in a happy relationship.

*I love helping people. This is the most important thing for me.
I did this back in my country as well. I would like to support old people.*

*My aim is to speak good English, go to school to get an education,
and build my life.*

I want to become a better version of myself.

I want to become a powerful voice for refugee women in parliament.

I want to be believed.

Methodology

The women came from the following 29 countries: Albania, Algeria, Angola, Bangladesh, Barbados, Cameroon, DR Congo, Eritrea, Ethiopia, Georgia, Ghana, Guinea, India, Ivory Coast, Jamaica, Kenya, Malawi, Nigeria, Pakistan, Philippines, Russia, Sierra Leone, Somalia, Sri Lanka, St. Lucia, The Gambia, Uganda, Zambia and Zimbabwe.

The age range of the women was wide. Fifteen percent of the women were aged between 21-30, around 25% were aged 31-40 and 23% between 41-50. Twenty-four percent were aged 51-60, while 12% were 60 or over.

The questionnaires were completed in small groups or on a one-to-one basis depending on emotional needs, English language ability, and personal preferences. Questions were a mixture of open and closed, and focussed on women's experiences of destitution in the UK, while also exploring their views on the asylum system, including asylum support.

Given the risk of re-traumatising vulnerable women, ethical considerations were of paramount importance. The questionnaires were completed on the premises of the grassroots groups and with the support of a safeguarding contact. All women were asked to give oral consent following a detailed description of the purpose of the research, the content of the questionnaire, and the potential risks of participation. Significant care was taken to emphasise the voluntary nature of the research and that women were free to omit any questions they did not wish to answer. Researchers encouraged women who showed signs of distress to omit relevant questions. To thank the women for their participation, WRW offered a £10 supermarket voucher. However, this was communicated to the women only once the questionnaire was completed.

Women who chose to share their pictures and stories gave informed consent for publication.

I won't give up, by Antho

"At least I didn't end up on the street like this man. I put myself in his place when I saw him. Before I took the photograph I spoke to him. I gave him fifty pence and asked him why he doesn't go to the charities which help the homeless. He said, 'I'm so tired of running around to charities. I've given up.' I say to myself, 'I won't give up.' I go to charities where I meet other women and they help me find strength. When I come to Women for Refugee Women I feel happy. We talk freely. We say, 'My sister, how is your case?', 'My sister, I am still fighting.'"



References

- To the best of our knowledge, the most detailed previous research was: Baobab Women's Project (2019) *Seeking Asylum: Women's Experiences of Home Office Decision Making, Destitution, and Mental Health Issues*, <https://www.baobabwomensproject.net/research>
- For the purposes of this research we have defined "gender-based violence" to include rape and other sexual abuse, forced prostitution, forced marriage and female genital mutilation.
- <https://www.redcross.org.uk/about-us/news-and-media/media-centre/press-releases/press-release-uk-asylum-system-leaving-thousands-of-people-in-poverty>
- Ibid.*: "Nearly a 20 per cent increase in emergency food parcels, a 43 per cent increase in people needing baby packs – with overall distributions at a five year high."
- See, for example: British Red Cross (2017) *Can't Stay. Can't Go. Refused Asylum Seekers who Cannot be Returned*, <https://www.redcross.org.uk/about-us/what-we-do/research-publications>; Destitute Asylum Seeker Service (2019) *From Pillar to Post: Destitution Among People Refused Asylum in Scotland*, <https://www.rst.org.uk/wp-content/uploads/2019/03/From-Pillar-to-Post-Feb-2019.pdf>; Northern Ireland Community of Refugees and Asylum Seekers (2017) *Living in Limbo: The Life of Refused Asylum Seekers*, <http://nicras.org.uk/wp-content/uploads/2017/06/nicras-book-16-may-07-mail.pdf>
- For an excellent analysis on the harms inflicted on women going through the UK asylum process, see: Canning, V. (2017) *Gendered Harm and Structural Violence in the British Asylum System*
- Alston, P. (2019) *Visit to the United Kingdom of Great Britain and Northern Ireland: Report of the Special Rapporteur on Extreme Poverty and Human Rights*, p.18, <https://undocs.org/A/HRC/41/39/Add.1>
- See, for example: <https://www.theguardian.com/education/2015/may/19/most-children-think-immigrants-are-stealing-jobs-schools-study-shows>
- Ibid.*
- See, for example: <https://www.independent.co.uk/news/uk/home-news/uk-migration-six-myths-about-immigration-debunked-as-latest-figures-show-fall-in-non-eu-arrivals-a6895341.html>
- Ibid.*
- See, for example: <https://www.ft.com/content/9f8bfe2a-0471-11e9-99df-6183d3002ee1>
- For an in-depth analysis, see: Parker, S. (2017) *Falling Behind: The Decline of the Rights of Asylum Seekers in the UK and Its Impact on Their Day-to-day Lives*, <http://orca.cf.ac.uk/101063/>
- Bloch, A. & Schuster, L. (2002) *Asylum and Welfare: Contemporary Debates*, https://www.researchgate.net/publication/249627005_Asylum_and_Welfare_Contemporary_Debates
- Immigration and Asylum Act (1999)
- Ibid.*
- Nationality, Immigration and Asylum Act (2002). Under those changes, the right to work is available in "exceptional cases" but no policy was drawn up to provide guidance on what these might be.
- Ibid.*
- In 2000, detention centres could hold 475 people, with another 200 or so held under immigration powers in prisons. By 2014, the detention estate had a capacity of over 3,800. See: Amnesty International (2017) *A Matter Of Routine: The Use of Immigration Detention in the UK*, <https://www.amnesty.org.uk/resources/matter-routine-use-immigration-detention-uk-0>
- <https://www.telegraph.co.uk/news/uknews/immigration/9291483/Theresa-May-interview-Were-going-to-give-illegal-migrants-a-really-hostile-reception.html>
- Webber, F. (2018) *The embedding of state hostility: a background paper on the Windrush scandal*, <http://www.irr.org.uk/news/the-windrush-scandal-exposes-the-dangers-of-scaremongering-about-illegal-immigrants/>
- Home Affairs Committee (2018) *The Windrush Generation: Sixth Report of Session 2017–19*, p.12, <https://www.parliament.uk/business/committees/committees-a-z/commons-select/home-affairs-committee/news-parliament-2017/the-windrush-generation-report-published-17-19/>
- Achiume, T. (2019) *Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance: Visit to the United Kingdom of Great Britain and Northern Ireland*, https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/41/54/Add.2
- Ibid.*, p.16
- <https://www.theguardian.com/business/2019/jun/14/austerity-has-fuelled-racial-inequality-in-the-uk-says-un-expert>
- OHCHR (2018) *Statement on Visit to the United Kingdom, by Professor Philip Alston, United Nations Special Rapporteur on extreme poverty and human rights*, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23881&LangID=E>
- Alston, P., *Visit to the United Kingdom of Great Britain and Northern Ireland: Report of the Special Rapporteur on Extreme Poverty and Human Rights*
- Ibid.* See also: <https://www.trusselltrust.org/news-and-blog/latest-stats/end-year-stats/>
- <https://www.telegraph.co.uk/news/2018/11/16/welfare-system-cruel-misogynistic-un-expert-warns-damning-report/>
- Joseph Rowntree Foundation (2015) *How to Improve Support and Services for Destitute Migrants*, p.2, <https://www.bl.uk/collection-items/how-to-improve-support-and-services-for-destitute-migrants>
- <https://www.theguardian.com/uk-news/2019/nov/01/dizzying-maze-uk-immigration-system-hostile-environment>
- Women for Refugee Women (2012) *Refused: The Experiences of Women denied asylum in the UK*, <https://www.refugeewomen.co.uk/wp-content/uploads/2019/01/women-for-refugee-women-reports-refused.pdf>
- UNHCR (2010) *Convention & Protocol Relating to the Status of Refugees*, <https://www.unhcr.org/uk/protection/basic/3b66c2aa10/convention-protocol-relating-status-refugees.html>. See p.3: "The principle of non-refoulement is so fundamental that no reservations or derogations may be made to it. It provides that no one shall expel or return ("refouler") a refugee against his or her will, in any manner whatsoever, to a territory where he or she fears threats to life or freedom."
- <https://news.un.org/en/story/2013/06/443442-senior-un-officials-condemn-recent-rape-young-girls-eastern-dr-congo>. Freedom House (2018) *2018 World Report – DRC* <https://freedomhouse.org/report/freedom-world/2018/congo-democratic-republic-kinshasa>: "sexual and gender-based violence against women and girls is pervasive."
- Freedom from Torture (2018) *A tool to silence: Torture to crush dissent in the Democratic Republic of Congo (Executive Summary)*, p.1, [https://www.freedomfromtorture.org/sites/default/files/2019-04/Executive%20Summary%20-%20A%20to%20to%20to%20to%20silence%20to%20torture%20to%20crush%20dissent%20in%20the%20DRC%20\(Nov%202018,%20English\).pdf](https://www.freedomfromtorture.org/sites/default/files/2019-04/Executive%20Summary%20-%20A%20to%20to%20to%20silence%20to%20torture%20to%20crush%20dissent%20in%20the%20DRC%20(Nov%202018,%20English).pdf)
- Edwards, A. (2010) *Transitioning Gender: Feminist engagement with international refugee law and policy, 1950–2010*, p.22, <https://academic.oup.com/rsq/article-abstract/29/2/21/1531885>
- <https://ilga.org/ilga-map-sexual-orientation-laws-2019>
- Home Office (2016) *Immigration Rules Appendix K: shortage occupation list*, <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-k-shortage-occupation-list>
- The Lift the Ban coalition has been at the heart of calls for the right of people seeking asylum to work, unconstrained by the shortage occupation list. Women for Refugee Women is a member of this coalition. See <https://www.refugee-action.org.uk/lift-the-ban/>
- Extra payments are available for women during pregnancy or those with children under the age of three. In addition, pregnant women in receipt of Section 95 support are entitled to receive a one-off maternity grant.
- The level of income support for those aged 25 and over is £73.10 (as of December 2019)
- <https://www.theguardian.com/uk-news/2019/apr/25/living-costs-rising-faster-for-uk-poorest-families-than-richest>
- <https://www.theguardian.com/world/2018/jan/15/destitute-uk-asylum-seekers-get-80p-rise-in-subsistence-payments>
- <https://www.bbc.com/news/uk-50336157>
- <https://www.independent.co.uk/news/uk/home-news/asylum-seekers-waiting-times-home-office-immigration-a9075256.html>
- Refugee Action (2017) *Slipping Through the Cracks: How Britain's Asylum Support System Fails the Most Vulnerable*, <https://www.refugee-action.org.uk/wp-content/uploads/2017/07/Slipping-through-the-cracks-final4-A4.pdf>
- See, for example: British Red Cross (2018) *Still an Ordeal: The Move-on Period for New Refugees*, <https://www.redcross.org.uk/about-us/what-we-do/we-speak-up-for-change/improving-the-lives-of-refugees/refugee-move-on-period>
- Ibid.*
- Home Affairs Committee (2013) *Asylum: Seventh report of Session 2013–14*, p.38, <https://publications.parliament.uk/pa/cm201314/cmselect/cmhaff/71/71.pdf>
- See, for example: Oxfam (2011) *Coping with Destitution: Survival and Livelihood Strategies of Refused Asylum Seekers Living in the UK*, <https://policy-practice.oxfam.org.uk/publications/coping-with-destitution-survival-and-livelihood-strategies-of-refused-asylum-se-121667>; Jesuit Refugee Service UK (2018) *Out in the Cold: Homelessness among destitute refugees in London*, <https://www.jrsuk.net/out-in-the-cold/>
- British Red Cross, *Can't Stay. Can't Go. Refused Asylum Seekers who Cannot be Returned*
- The Home Office will generally provide Section 4 support to women for the six weeks before the expected delivery and six weeks following the birth, as well as to women with a pregnancy-related complication that renders her unfit to travel. See: <https://maternityaction.org.uk/advice/refused-asylum-seekers-maternity-rights-and-benefits/>
- FOI Request No 35829. See: <https://www.asylumineurope.org/reports/country/united-kingdom/asylum-procedure/subsequent-applications>
- See, for example: Women for Refugee Women, *Refused*; Asylum Aid (2011) *Unsustainable: The Quality of Initial Decision-Making in Women's Asylum Claims*, <https://consonant.org.uk/wp-content/uploads/2019/05/UnsustainableWEB.pdf> (Asylum Aid is now known as Consonant); European Parliament, Directorate-General for Internal Policies (2012) *Gender Related Asylum Claims in Europe*, http://www.europarl.europa.eu/RegData/etudes/etudes/join/2012/462481/IPOL-FEMM_ET%282012%29462481_EN.pdf
- <https://www.independent.co.uk/voices/editorials/boris-johnson-immigration-target-theresa-may-home-office-a9021141.html>
- <https://www.theguardian.com/uk-news/2019/apr/28/home-office-chaos-and-incompetence-leads-to-unlawful-detentions-claim-whistleblowers>
- Home Affairs Committee, *The Windrush Generation: Sixth Report of Session 2017–19*
- Ibid.*, p.20
- <https://www.theguardian.com/politics/2019/sep/18/home-office-immigration-windrush-applications-assessments-persecution>
- <https://publications.parliament.uk/pa/cm200910/cmhansrd/cm100223/petntext/100223p0001.htm>
- See, for example: Women for Refugee Women (2017) *The Way Ahead: An Asylum System Without Detention*, <https://www.refugeewomen.co.uk/wp-content/uploads/2019/01/women-for-refugee-women-reports-the-way-ahead.pdf>
- Freedom from Torture (2019) *Lessons Not Learned: The Failures of Asylum Decision-Making in the UK*, <https://www.freedomfromtorture.org/news/lessons-not-learned-report-september-2019>
- For the purposes of this report, we define "LGBT" as lesbian, gay, bisexual, trans, queer or intersex.
- <https://www.theguardian.com/uk-news/2019/sep/02/home-office-refused-thousands-of-lgbt-asylum-claims-figures-reveal>
- UK Lesbian and Gay Immigration Group (2018) *Still Falling Short: The Standard of Home Office Decision-Making in Asylum Claims based on Sexual Orientation and Gender Identity*, <https://uklgig.org.uk/wp-content/uploads/2018/07/Still-Falling-Short.pdf>
- <https://theface.com/society/female-asylum-seekers-on-the-bizarre-burden-of-proving-their-queerness/>
- <https://www.theguardian.com/uk-news/2019/sep/02/home-office-refused-thousands-of-lgbt-asylum-claims-figures-reveal>
- UNHCR (1998) *Note on Burden and Standard of Proof in Refugee Claims*, p.3, <https://www.refworld.org/pdfid/3ae6b3338.pdf>
- Ibid.*, p.6
- Hungarian Helsinki Committee (2013) *Credibility Assessments in Asylum Procedures: A Multi-Disciplinary Training Manual Volume 1*, p.24, <https://www.refworld.org/pdfid/5253bd9a4.pdf>
- Home Office (2015) *Asylum Policy Instruction: Assessing Credibility and Refugee Status Version 9.0, Section 5*, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/397778/ASSESSING_CREDIBILITY_AND_REFUGEE_STATUS_V9_0.pdf
- Asylum Aid, *Unsustainable: The Quality of Initial Decision-making in Women's Asylum*

- Claims
73 *Ibid.*
74 European Parliament, *Directorate-General for Internal Policies, Gender Related Asylum Claims in Europe*, p.9: "It appears that UNHCR Gender Guidelines urging States to interpret all five Convention grounds in a gender-sensitive manner are overlooked in all the countries under research."
75 Asylum Aid (2012) "I feel like as a woman I'm not welcome": A Gender Analysis of UK Asylum Law, Policy and Practice, https://d1r349398pb5ky.cloudfront.net/wp-content/uploads/2019/05/ifeelasawoman_report_web_.pdf
76 Home Office (2018) *Gender Issues in the Asylum Claim Version 3.0*, p.5, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/699703/gender-issues-in-the-asylum-claim-v3.pdf
77 See, for example, research by Consonant carried out since 2011: <https://consonant.org.uk/our-publications/>
78 UN Women (2017) *Report on the Legal Rights of Women and Girl Asylum Seekers in the European Union*, p.8, <https://eca.unwomen.org/en/digital-library/publications/2017/03/report-on-the-legal-rights-of-women-and-girl-asylum-seekers-in-the-european-union>
79 <https://www.theguardian.com/uk-news/2019/nov/01/dizzying-maze-uk-immigration-system-hostile-environment>
80 For more information on the impact of trauma upon disclosure in asylum interviews, see, for example: Bögner, D., Herlihy, J., and Brewin, C. (2007) *Impact of sexual violence on disclosure during Home office interviews*, <http://csl.org.uk/assets/images/resources/bogner-herlihy-brewin-2007-bjpsych/bogner-bjpsych-disclosure-article.pdf>
81 Home Office (2019) *Asylum Interviews Version 7.0*, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807031/asylum-interviews-v7.0ext.pdf
82 Asylum Aid "I feel like as a woman I'm not welcome": A Gender Analysis of UK Asylum Law, Policy and Practice
83 *Ibid.*
84 Home Office (2019) *Asylum Interviews*, p.13: Caseworkers "should normally expect to meet this [request] and if it cannot be met on the scheduled day, the interview should normally be re-arranged. When requested in advance of the interview, you should make every effort to meet the request for a male or female interpreter as far as operationally possible."
85 https://publications.parliament.uk/pa/cm201314/cmselect/cmhaff/71/71vw32008_HC71_01_VIRT_HomeAffairs_ASY-76.htm
86 Asylum Aid "I feel like as a woman I'm not welcome": A Gender Analysis of UK Asylum Law, Policy and Practice, p.48
87 *Ibid.*, p.50
88 Asylum Aid (2007) *Country of Origin Information and Women: Researching Gender and Persecution in the Context of Asylum and Human Rights Claims*, p.50, <https://www.refworld.org/pdfid/49997afd1a.pdf>
89 Refugee Action (2018) *Tipping the Scales: Access to Justice in the Asylum System*, <https://www.refugee-action.org.uk/wp-content/uploads/2018/07/Access-to-Justice-July-18-1.pdf>
90 <https://www.theguardian.com/uk-news/2019/nov/01/dizzying-maze-uk-immigration-system-hostile-environment>
91 Wilding, J. (2019) *Droughts and Deserts: A Report on the Immigration Legal Aid Market*, <http://www.jowilding.org/assets/files/Droughts%20and%20Deserts%20final%20report.pdf>
92 <https://www.thejusticegap.com/droughts-and-deserts-a-study-of-market-failure-in-the-provision-of-legal-aid/>
93 Asylum Aid (2017) *Through her Eyes: Enabling Women's Best Evidence in UK Asylum Appeals*, p.49, https://d1r349398pb5ky.cloudfront.net/wp-content/uploads/2019/02/Through-Her-Eyes_Final-Report_Nov2017.pdf
94 *Ibid.*, p.17
95 <https://www.ein.org.uk/news/asylum-financial-support-asylum-seekers>
96 Border and Immigration Agency (2007) *Family Asylum Policy: The Section 9 Implementation Project*, p.3, <https://webarchive.nationalarchives.gov.uk/20100408185019/http://www.ukba.homeoffice.gov.uk/sitecontent/documents/aboutus/workingwithasylumseekers/section9implementationproj.pdf>
97 <https://publications.parliament.uk/pa/cm200506/cmhansrd/v0051220/debtext/51220-16.htm>
98 See, for example: Amnesty International (2016) *Cuts that hurt: The impact of legal aid cuts in England on access to justice*, <https://www.amnesty.org/en/documents/eur45/4936/2016/en/>
99 Wilding, J., *Droughts and Deserts: A Report on the Immigration Legal Aid Market*, p.40.
100 *Ibid.*, p.13
101 <https://www.independent.co.uk/news/uk/home-news/asylum-seeker-claims-home-office-journey-miles-uk-charities-a8881481.html>
102 Joseph Rowntree Foundation (2018) *Destitution in the UK 2018*, <https://www.jrf.org.uk/report/destitution-uk-2018>
103 Poverty and Social Exclusion (2012) *Attitudes to Adult Necessities UK 2012*, <http://www.poverty.ac.uk/pse-research/attitudes-adult-necessities-uk-2012>
104 British Red Cross (2010) *Not Gone but Forgotten: The Urgent Need for a More Humane Asylum System*, p.5, <https://stillhumanstillhere.files.wordpress.com/2009/01/not-gone-but-forgotten-june-2010.pdf>
105 As the Home Office (2016) explains in *Victims of modern slavery – competent authority guidance Version 8.0*: "The essence of human trafficking is that the victim is coerced or deceived into a situation where they are exploited. Article 4(a) of the Council of Europe Convention on Action against Trafficking in Human Beings defines "human trafficking" as: 'the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.'" See <https://www.gov.uk/government/publications/victims-of-trafficking-guidance-for-competent-bodies>
106 See, for instance: <https://www.gov.uk/government/speeches/defeating-modern-slavery-theresa-may-article>
107 See, for example: Oxfam, *Coping with Destitution*; Canning, V. (2019) *Reimagining Refugee Rights: Addressing Asylum Harms in Britain, Denmark and Sweden*, <https://www.bristol.ac.uk/media-library/sites/policybristol/Policy%20Report%2049-Mar-2019-%20Reimagining-refugees-rights.pdf>
108 Canning, V., *Reimagining Refugee Rights: Addressing Asylum Harms in Britain, Denmark and Sweden*
109 Asylum Support Appeals Project & Refugee Council (2018) *Women Seeking Asylum: Safe from Violence in the UK?*, https://www.refugeecouncil.org.uk/latest/news/5338_still_not_safe_-_fresh_research_into_violence_against_women_seeking_asylum/
110 The World Health Organisation defines intimate partner violence as "any behaviour within an intimate relationship that causes physical, psychological or sexual harm to those in the relationship." See: https://www.who.int/reproductivehealth/publications/violence/rhr12_36/en/
111 Asylum Support Appeals Project & Refugee Council, *Women Seeking Asylum: Safe from Violence in the UK?*
112 King's College London and the Latin American Women's Rights Service (2019) *The Right to be Believed: Migrant women facing violence against women and girls (VAWG) in the 'hostile immigration' environment in London*, <https://stepupmigrantwomen.org/2019/05/23/research-righttobebelieved/>
113 <http://www.laws.org.uk/step-up-migrant-women/>; Imkaan found that 40% of 183 women with insecure status stayed in their abusive relationship for more than [five] years from fear of deportation... 92% of these women reported threats of deportation from their perpetrator.
114 Asylum Support Appeals Project & Refugee Council, *Women Seeking Asylum: Safe from Violence in the UK?*, p.23
115 Liberty (2018) *Care don't share – Hostile Environment Data-Sharing: Why We Need a Firewall Between Essential Public Services and Immigration Enforcement*, <https://www.libertyhumanrights.org.uk/policy/report-care-dont-share>
116 <https://www.bbc.com/news/uk-44074572>
117 Council of Europe (2011) *The Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence*, also known as the Istanbul Convention, <https://www.coe.int/fr/web/conventions/full-list/-/conventions/rms/090000168008482e>. The Convention creates a legal framework at pan-European level to protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence. Article 4 reads: "The implementation of the provisions of this Convention by the Parties, in particular measures to protect the rights of victims, shall be secured without discrimination on any ground such as sex, gender, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, sexual orientation, gender identity, age, state of health, disability, marital status, migrant or refugee status, or other status." It is clear, therefore, that the protections, including those in Article 50 to provide "adequate and immediate protection", apply to all women regardless of immigration status.
118 <https://www.bbc.co.uk/news/uk-44074572>
119 <https://www.theguardian.com/uk-news/2019/oct/05/met-police-crime-victims-data-crime-immigration-home-office>
120 Home Office (2019) *Domestic Abuse: Responding to Reports of Domestic Abuse from Asylum Seekers Version 1.0*, <https://www.gov.uk/government/publications/domestic-abuse-responding-to-reports-of-domestic-abuse-from-asylum-seekers>
121 Home Affairs Committee (2018) *Domestic Abuse: Ninth Report of Session 2017-19*, <https://publications.parliament.uk/pa/cm201719/cmselect/cmhaff/1015/1015.pdf>
122 Women's Aid (2018) *Nowhere to Turn: Findings from the Second Year of the No Woman Turned Away Project*, <https://1q7dqy2unor827bqjls0c4rn-wpengine.netdna-ssl.com/wp-content/uploads/2019/12/NWTA-2018-FINAL.pdf>
123 Run by Notre Dame Refugee Centre. <https://www.notredamerc.org.uk/>
124 Home Office (2016) *Immigration Rules Appendix FM: family members*, <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-fm-family-members>
125 <https://www.independent.co.uk/news/uk/home-news/uk-ratify-istanbul-convention-women-girls-european-a8768606.html>
126 In terms of Section 4 support, the same grounds apply. Refused women who submit fresh claims, have a baby under six weeks, are in the late stages of pregnancy (normally six weeks before their due date), or suffer a pregnancy-related complication that render them unfit to travel may receive asylum support. <https://maternityaction.org.uk/advice/refused-asylum-seekers-financial-support-and-housing/>
127 The Children's Society (2016) *Making Life Impossible: How the Needs of Destitute Migrant Children Are Going Unmet*, <https://www.childrensociety.org.uk/what-we-do/resources-and-publications/making-life-impossible-how-the-needs-of-destitute-migrant>
128 Project 17 (2019) *Not Seen, Not Heard: Children's Experiences of the Hostile Environment*, p.2, <https://www.project17.org.uk/media/70571/Not-seen-not-heard-1-.pdf>
129 Wickham, S. & Anwar, E. (2016) *Poverty and Child Health in the UK: Using Evidence for Action*, https://www.researchgate.net/publication/293797209_Poverty_and_child_health_in_the_UK_Using_evidence_for_action
130 The Children's Society (2016) *Poor Mental Health: The Links between Child Poverty and Mental Health Problems*, <https://www.childrensociety.org.uk/what-we-do/resources-and-publications/poor-mental-health-the-links-between-child-poverty-and-mental>
131 Though, care in accident and emergency services, treatment for any physical or mental condition caused by torture, female genital mutilation, domestic violence, or sexual violence, and urgent care is free. See: <https://www.gov.uk/guidance/nhs-entitlements-migrant-health-guide>
132 Paragraph 322(12) of Part 9 of the *Immigration Rules: Grounds for Refusal* (2016)
133 <https://www.theguardian.com/society/2019/oct/16/charity-launches-legal-action-against-nhs-fees-pregnant-migrants>
134 "From January 2017 to May 2018, NHS Digital shared non-clinical information about people refused asylum (including their last known address) with the Home Office for immigration enforcement purposes." See: Equality and Human Rights Commission (2018), *Access to healthcare for people seeking and refused asylum in Great Britain: A review of evidence*, p.26, <https://www.equalityhumanrights.com/en/publication-download/access-healthcare-people-seeking-and-refused-asylum-great-britain-review>
135 The government has stated that it will now only request information in the event of "serious crimes". But, as we have mentioned, information about a migrant who owes a debt of £500 or more to the NHS can be used for immigration enforcement purposes. See: <https://www.independent.co.uk/news/uk/home-news/home-office-nhs-data-sharing-immigration-enforcement-a8761396.html>
136 In October 2019, Bloody Good Period and Women for Refugee Women released a joint briefing on period poverty among women seeking asylum in the UK, which was presented to the government's Period Poverty Taskforce: https://www.refugeewomen.co.uk/wp-content/uploads/2019/10/Report_BGP-x-WRW.pdf. It should be noted that the statistics presented in that publication were based on 78 women who participated in research for this report.
137 Plan International UK (2018) *Break the Barriers: Girls' Experience of Menstruation in the UK*, <https://plan-uk.org/girls-rights-in-the-uk/break-the-barriers-our-menstrual-manifesto>
138 HM Government (2018) *A connected society: A strategy for tackling loneliness – laying the foundations for change*, <https://www.gov.uk/government/collections/governments-work-on-tackling-loneliness>
139 House of Commons (2019) *Briefing Paper Number 8514: Tackling Loneliness*, <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-8514>
140 Women for Refugee Women (2014) *Detained: Women Asylum Seekers Locked Up in the UK*, <https://www.refugeewomen.co.uk/campaign/research/>; Women for Refugee Women (2015) *I am Human*
141 Two women were granted indefinite leave to remain, three women were granted leave to remain for 30 months with recourse to public funds, and one woman leave to remain with no recourse to public funds.



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