

Asylum seekers and refugees in Wales

Key points

- Although **powers relating to asylum and immigration are not devolved**, the Welsh Government has responsibility to asylum seekers and refugees living in Wales under its housing, health, education and social service functions and through its community cohesion agenda.
- Until 2001, relatively low numbers of asylum seekers and refugees decided to settle in Wales compared to some parts of the UK. This changed in 2001 when **Cardiff, Newport, Swansea** and **Wrexham** became official dispersal areas for asylum seekers awaiting a decision on their claim for protection.
- There were **1,571 asylum seekers living in Wales** in the first quarter of 2013. This number has fallen from a peak of 2,616 in the first quarter of 2007. The number of refugees is unknown but has been estimated at between 6,000 and 10,000.
- In 2008 the Welsh Government published the **Refugee Inclusion Strategy** which sets out how it will support and enable refugees to rebuild their lives in Wales and make a full contribution to society.
- In Wales, as elsewhere, asylum seekers and refugees experiences particular difficulties in accessing appropriate **accommodation** with examples of poor practice among housing providers and front line staff which can make people feel vulnerable and insecure in their own homes.
- Although asylum seekers and refugees are legally entitled to access primary and secondary **healthcare** in Wales, there is evidence of inadequate access due to social, cultural and structural barriers
- Refugees living in Wales are generally more **highly qualified** than their British counterparts. More than a quarter have a University degree from their country of origin and a further 8.9% hold a postgraduate qualification.
- The main barrier to **higher and further education** for asylum seekers and refugees is a financial one. Most colleges and Universities in Wales classify asylum seekers as international students although they have discretion to charge asylum seekers home student fees or waive fees altogether.
- Refugees are entitled to work but often experience high levels of **under- and unemployment** despite arriving with good qualifications and previous work experience in their countries of origin.
- **Barriers to employment** include a lack of language and/or computer skills, difficulties in applying for jobs and attending interviews, a lack of recognition of overseas qualifications, difficulties in finding job vacancies, a lack of references and racism and discrimination on the part of employers.
- There are **significant pockets of negative attitudes and prejudice** towards asylum seekers and refugees living in Wales

Produced by Professor Heaven
Crawley, Centre for Migration
Policy Research (CMPR),
Swansea University for the
Wales Migration Partnership
(WMP)

Published July 2013

www.wmp.org.uk

T 029 2090 9550

F 029 2090 9510

E Anne.Hubbard@wmp.org.uk

The policy context

Although powers relating to asylum and immigration are not devolved, the Welsh Government has responsibility to asylum seekers and refugees living in Wales under its housing, health, education and social service functions and through its community cohesion agenda. As a result **the Welsh Government has a key role to play in enabling asylum seekers and refugees to become part of Welsh society.**

Policies towards asylum seekers and refugees in Wales are developed in the context of the Welsh Government's strategic agenda, specifically the Programme for Government (2011), and within the framework of UK, European and international legislation.

The Programme for Government sets out specific actions the Welsh Government is taking to 'create a fair society free from discrimination, harassment and victimisation with cohesive and inclusive communities' (Welsh Government 2011). The Government aims to do this by reducing inequality in education and skills, health, housing and employment outcomes for people with protected characteristics (including race), increasing public services satisfaction rates and reducing the incidence of hate crime.

The **public sector equality duty** (Equality Act 2010), also referred to as the 'general duty', came into force in April 2011 and aims to ensure that public authorities and those carrying out a public function consider how they can positively contribute to a fairer society in their day to day activities through paying due regard to eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations.

In order for public bodies to better perform their public sector equality duty (PSED), the Welsh Government was the first government to bring in specific equality duties as set out in Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011. The regulations were approved by the National Assembly for Wales and came into force on 6 April 2011.

The specific duties are more far reaching in Wales than in England and place duties on the public sector covering engagement, equality impact assessments, pay differences, procurement, reporting arrangements, review and equality and employment information.

Public authorities in Wales published their equality objectives and their Strategic Equality Plans in April 2012 which clearly laid out the actions the public sector is taking to fulfil the PSED.

Refugee policies in Wales

In 2001 the Westminster Government designated specific areas throughout the country as dispersal areas for asylum seekers arriving in the UK. These areas were established to help relieve housing and social pressure in London and the south east of England. In Wales, **Cardiff, Newport, Swansea** and **Wrexham** became official dispersal areas for asylum seekers awaiting a decision on their claim for protection.

An asylum seeker is a person who has come to the UK to exercise his or her right to claim asylum under the 1951 Convention relating to the Status of Refugees and is waiting for a decision about whether or not they will be granted refugee status.

A refugee is a person who has been recognised by the UK government as needing protection under the 1951 Convention and has been granted leave to remain in the UK, initially for a period of five years although this may be extended indefinitely.

In June 2008 the Government published its **Refugee Inclusion Strategy** (Welsh Assembly Government 2008) which sets out how the Welsh Government will support and enable refugees to rebuild their lives in Wales and make a full contribution to society. The Refugee Inclusion Strategy states that refugee inclusion takes place when a refugee becomes a **fully active member of society, participating in and contributing to the economic, social, cultural, civil and political life of the country.** The Strategy also documents the progress made to date in achieving refugee inclusion in Wales.

The Refugee Inclusion Strategy is part of the strategic approach being taken by the Welsh Government to realise its broader vision of a prosperous future for Wales that is free from racism and discrimination, where everyone is enabled to fulfil their potential, to have fair and equal access to services and participate fully in the political and civil life of the country.

Data and numbers

Although Wales has a history of migration associated, in particular, with the coalfields of the industrial South, the arrival of asylum seekers and refugees is a much more recent phenomenon.

Until 2001, relatively low numbers of asylum seekers and refugees decided to settle in Wales compared to some parts of the UK. This changed when Wales became a dispersal area although the overall numbers

still remain low compared to the country's total population, some 0.3% (EHRC 2010).

No regular, authoritative reports are published giving asylum statistics for Wales (WRC 2010). According to the Home Office (2013), there were 1,571 **asylum seekers living in Wales** in the first quarter of 2013. This number has fallen from a peak of 2,616 in the first quarter of 2007.

According to data provided by the Wales Migration Partnership, the top five countries of origin of asylum seekers living in Wales at the end of March 2013 were the **People's Republic of China, Pakistan, Iran, Nigeria** and **Afghanistan**. The most common age group of asylum seekers is 30-34 years. **Just under half of all asylum seekers living in Wales are female.**

There is very limited information on the background, circumstances and needs of **refugees living in Wales**. Asylum seekers who are granted refugee status are not required to live in a particular area of the UK and may move elsewhere. Much of what is known has been deduced from information about asylum seekers or from research with small groups of refugees living in Wales (see for example Crawley and Crimes 2009).

There were 1,571 asylum seekers living in Wales in the first quarter of 2013. This number has fallen from a peak of 2,616 in the first quarter of 2007 (Home Office 2013).

There is no statistical information on the number of refugees living in Wales.

Despite this there are some estimates of the refugee population in Wales. For example a report by Cardiff City Council (2005) stated that Cardiff has a settled refugee population of over 6,000. In another study, it was estimated that there are currently at least 10,000 refugees in Wales (Robinson 2006).

There is evidence that the population of refugees and asylum seekers living in Wales is distinct from the wider UK refugee population in some important ways. In Wales, refugees and asylum seekers are more concentrated in a limited number of towns and cities and that they are drawn from a more limited range of nationalities and linguistic groups. Research and anecdotal evidence indicates that a significant proportion of asylum seekers are dispersed into areas of relative deprivation. In some cases this has been associated with tensions over the allocation of resources (Crawley and Crimes 2009).

Housing

Housing is widely considered to be a cornerstone for successful refugee integration. Asylum seekers who are dispersed to Wales are provided with accommodation on a 'no choice' basis by private sector accommodation providers, under contract to the Home Office (the part that was formerly the UK Border Agency).

Accommodation providers are required to provide a basic level of support throughout the duration of the asylum claim period. People granted refugee status, temporary or indefinite leave to remain are eligible to apply for social housing to their local authority, or to Registered Social Landlords (RSLs) who are independent housing organisations. However in Wales, as elsewhere, refugees who have been granted status experiences particular **difficulties in accessing appropriate accommodation** (Crawley and Crimes 2009). These difficulties are associated in significant part with the relative scarcity of social housing and affordable private rental accommodation.

A survey of refugees living in Wales published in November 2009 found that a significant majority (89.4%) of refugees live in rented accommodation, with the council or local authority being the landlord for two thirds (Crawley and Crimes 2009). Very few refugees own their own property (4.1%). Some refugees do not have their own home but are staying with family or friends, or living in temporary or hostel accommodation. Others are effectively homeless. Refugees who move may become homeless because of the requirement that they have a 'local connection' with the area in which they are living in order to be entitled to homelessness services. Single refugees may not be able to access social housing because they are not considered to have 'priority need' status. Concerns were also expressed about the attitude and behaviour of other residents towards themselves and their children.

Research by the ECHR (2010) has also identified issues with the quality of housing provided to asylum seekers and refugees together with examples of poor practice among housing providers and front line staff which can make people feel vulnerable and insecure in their own homes. The housing situation of asylum seekers who have been refused refugee status but cannot or will not return to their countries of origin is particularly precarious. They may find themselves on the streets or else 'sofa surfing', in abusive relationships and/or engaging in transactional sex in order to have a place to live (Crawley et al. 2011).

Health

Asylum seekers living in Wales are entitled to NHS treatment free of charge as long as their application (including any appeal) is under consideration. In common with those normally resident they may have to pay for certain statutory NHS charges, unless they qualify for exemption, and will go on to NHS waiting lists as any other person would. **Asylum seekers and refugees are therefore entitled to exactly the same health services as the resident population.** In addition the Welsh Government has amended its

Charges to Overseas Visitors (Wales) Regulations 2004 so that asylum seekers who have been refused leave to remain in the UK are also entitled to free health care whilst they are living in Wales.

Asylum seekers and refugees are not a homogeneous group and their health status and needs vary. Many asylum seekers arrive in good health and some studies suggest that the average physical health status of asylum seekers on arrival is not particularly poor in comparison with the general UK population (National Public Health Service for Wales 2009).

There is however some evidence that both **the physical and mental health of asylum seekers may worsen in the UK** due to poverty and anxiety associated with experiences in the country of origin and during the asylum process (Crawley and Crimes 2009). Nearly all the descriptions of decline in mental and physical health since arrival in the UK are related to anxiety, stress, depression and isolation associated with being an asylum seeker, the asylum process, making the transition to being a refugee if granted and separation from home and family. There is some evidence that mental health problems are made worse by the housing and employment situations in which many refugees find themselves (Crawley and Crimes 2009).

Although asylum seekers and refugees are legally entitled to access primary and secondary healthcare in Wales, there is evidence of inadequate or haphazard access due to social, cultural and structural barriers. Many of those who have been refused refugee status are unaware of their entitlement to free primary health care, or are anxious about contact with the authorities and therefore do not access health services (Crawley et al, 2011). Research undertaken by MEWN in Cardiff and the Vale of Glamorgan through the Ethnic Minority Women's Health Awareness Project has found that women in particular lack information about healthcare services including during pregnancy and in relation to family planning.

Education

Education creates significant opportunities for employment and for wider social connection and is an important tool for successful refugee integration.

Local authorities (LAs) have a legal duty to ensure education is available for all children of compulsory school age in the area appropriate to their age, abilities and aptitudes and any special education needs they may have. This duty applies **irrespective of a child's immigration status** or rights of residence in a particular

location and includes children from asylum-seeking and refugee backgrounds. The fact that a potential pupil may have little or no English is not a valid reason for refusing admission. The Welsh Government provides Minority Ethnic Achievement Grant (MEAG) funding to schools to support inclusion and raise the achievements of asylum seekers and refugees, the children of migrant workers and European Roma children.

A skills and qualifications audit undertaken by the Welsh Refugee Council in 2007 found that 27% of respondents had university qualifications, 33% had attended a course of further education, and 24% had secondary/high school qualifications.

A survey of refugees living in Wales found that three quarters held a secondary school certificate of education and a further 43.9% had a diploma. More than a quarter had obtained a University degree in their country of origin with a further 8.9% holding a postgraduate qualification (Crawley and Crimes 2009).

Beyond the age of 18 asylum seekers and refugees are entitled to study any course at any level, as long as they are able to satisfy the entry requirements and can pay the course fees. Research has found that **refugees living in Wales are more highly qualified than their UK citizen counterparts** with more than a quarter having a University degree from their country of origin and a further 8.9% holding a postgraduate qualification (Crawley and Crimes 2009). However the number of asylum seekers and refugees enrolled on higher and further education courses in Wales appears to be low.

According to the Welsh Government's *Refugee Inclusion Strategy* (2008), the main barrier to higher and further education for asylum seekers and refugees is a financial one. Most colleges and Universities in

Wales classify asylum seekers as international students although they have the discretion to charge asylum seekers home student fees or waive fees altogether. Other barriers include a lack of accessible information and advice on appropriate education and training opportunities, as well as practical barriers associated with poverty such as an inability to access transport, childcare or attend courses at prescribed times (Welsh Assembly Government 2008; Crawley and Crimes 2009).

In 2010 the Higher Education Funding Council for Wales (HEFCW) issued a circular to all heads of higher and further education institutions in Wales which provides information on widening access to higher education for refugees and asylum seekers, including some of the barriers faced in accessing higher-level study and examples of effective practice in providing refugee and asylum seeker support (HEFCW 2010).

Employment

Employment provides a mechanism for income generation and economic advancement and, as such, is widely considered as a key mechanism for refugee integration. Jobs are also valuable in establishing valued social roles, developing language and broader cultural competence and establishing social connections.

Asylum seekers are not allowed to work in the UK while their asylum applications are being considered. **Those who have been granted refugee status are entitled to work** but often experience high levels of under- and unemployment despite arriving in Wales with good qualifications and previous work experience in their countries of origin. Obtaining recognition and accreditation of overseas qualifications can be a significant barrier to employment.

An audit of refugee skills and qualifications undertaken by the Welsh Refugee Council in 2007 found that nearly two thirds (64%) of refugees in Wales were unemployed compared with just 22% in the country of origin. The five greatest barriers to employment identified were: lack of language and/or computer skills, difficulties in applying for jobs and attending interviews, a lack of recognition of overseas qualifications, difficulties in finding job vacancies and a lack of references.

A survey of refugees living in Wales similarly found that whilst nearly two thirds of respondents were employed in a variety of professions before coming to the UK, less than a third (31.7%) had a job in Wales (Crawley and Crimes 2009). Of those refugees who were employed, most were in administrative or clerical positions, cleaning or factory work. Nearly half of those who are employed did not feel that their job was appropriate for their qualifications, skills and experience.

Many refugees commented that they had experienced **racism and discrimination** both in terms of finding employment and in their experiences in the workplace. Issues of skin colour, religion and dress codes (particularly headscarves) were raised as causes of discrimination. Many respondents believe that they are not selected for job interviews because they do not have an English (or Welsh) name. Recent research for Race Council Cymru has also identified racism as a significant barrier to the employment of black and ethnic minority communities in Wales (Crawley 2012).

Community cohesion

The process of inclusion is about more than simply access to services or the labour market: it is also about how communities function on a day-to-day basis, whether individuals feel safe and how they relate to one another.

In October 2008 the Equality and Human Rights Commission in Wales published *Who do you see?* based on the first major survey of attitudes in Wales towards race, religion, gender, sexual orientation, transgender, age, disability and human rights. The survey found that whilst people in Wales are largely comfortable with those from different backgrounds, **there are significant pockets of negative attitudes and prejudice including in relation to asylum seekers and refugees.**

These findings are reflected in research by Crawley and Crimes (2009) which found that more than half of all refugees have experienced negative public attitudes and racism whilst living in Wales. These figures are significantly higher than for the population of Wales as a whole. A significant number of hate crime incidents were described by survey respondents, many involving verbal and physical abuse, often by teenagers and youths. Damage to property was also widely reported. Some respondents reported discrimination in the workplace and in dealings with agencies and service providers, including the police. Many racist incidents are not reported due to concerns about the consequences.

Further research by the EHRC (2010) has identified a wide range of street-level abuse and violence reported by asylum seekers and refugees who said it made them feel unwanted and inhuman. Research by Crawley (2012) for Race Council Cymru has also found evidence of 'everyday racism' in public spaces particularly verbal abuse, with more than two thirds of respondents reporting experiences of racism. Among members of the Black, Asian and Minority Ethnic communities, some of whom are migrants, there are perceptions of racial inequality in the delivery of public services including housing, healthcare and education. Perceptions of discrimination are particularly clear in relation to employment.

References and further information

Binder, S. (2013) *Migration to the UK: Asylum*, Oxford: COMPAS, University of Oxford
www.migrationobservatory.ox.ac.uk/sites/files/migobs/Briefing%20-%20Migration%20to%20the%20UK%20-%20Asylum.pdf

Crawley, H. (2012) *Race Equality and Racism in Wales: An Exploratory Study*, Race Council Cymru
http://communities2point0.files.wordpress.com/2012/11/rcc_report.pdf

Crawley, H., Hemmings, J. and Price, N. (2011) *Coping with Destitution: Survival and Livelihood Strategies of Refused Asylum seekers Living in the UK*, Oxford: Oxfam <http://policy-practice.oxfam.org.uk/publications/coping-with-destitution-survival-and-livelihood-strategies-of-refused-asylum-se-121667>

Crawley, H. and Crimes, T. (2010) *Refugees Living in Wales: A Survey of Skills, Experiences and Barriers to Inclusion*, Welsh Assembly Government, WSMP and WRC
www.swan.ac.uk/media/media,41835,en.pdf

Equality and Human Rights Commission (EHRC) (2010) *Not Just Another Statistic: Life in Wales for Asylum Seekers and Refugees*, Cardiff: EHRC
www.equalityhumanrights.com/uploaded_files/Wales/njas_asylum_seekers_and_refugees.pdf

Equality and Human Rights Commission (2008) *Who Do You See? Living Together in Wales*, Cardiff: EHRC
www.equalityhumanrights.com/uploaded_files/download_who_do_you_see_publication_english.pdf

HEFCW (2010) *Widening Access to Refugees and Asylum Seekers*, Cardiff: Higher Education Funding Council for Wales
www.hefcw.ac.uk/documents/publications/circulars/circulars_2010/W10%2013HE%20Widening%20Access%20to%20Refugees%20and%20Asylum%20Seekers.pdf

Home Office (2013) *Immigration Statistics January to March 2013*, London: Home Office
www.gov.uk/government/publications/tables-for-immigration-statistics-january-to-march-2013

National Public Health Service for Wales (2009) *Guidance on Healthcare Issues for Asylum Seekers in Wales*, Cardiff
www.wales.nhs.uk/sitesplus/888/news/14727

Robinson, V. (2006) *Mapping the Field: Refugee Housing in Wales*, hact / Welsh Refugee Council, www.wsmg.org.uk/documents/wsmg/Refugees/Mapping%20the%20field%20Refugee%20housing%20in%20Wales.pdf

Welsh Government (2011) *Programme for Government: Equality*, Cardiff
wales.gov.uk/docs/strategies/110929chap8en.pdf

Welsh Government (2009) *Getting Along Together: A Community Cohesion Strategy for Wales*, Cardiff
wales.gov.uk/docs/dsjlg/publications/commsafety/091130ccstratenv1.pdf

Welsh Assembly Government (2008) *Refugee Inclusion Strategy*, Cardiff
<http://new.wales.gov.uk/dsjlg/publications/communityregendevlop/refugeeinclusionstrategy/strategye.pdf?lang=en>

Welsh Assembly Government (2005) *Asylum Seekers and Refugees: Guidance for Housing and Related Service Providers in Wales*, Cardiff
<http://wales.gov.uk/desh/publications/housing/asylumguide/guide.pdf;jsessionid=1B1586F52270C9955D46E7EAAED2C22E?lang=en>

Welsh Refugee Council (2007) *An Audit of Refugee Skills and Qualifications in Wales*, Cardiff: WRC www.welshrefugeecouncil.org/wp-content/uploads/2010/03/equalproject_summary.pdf

About the briefing paper series

This briefing paper is one of a series produced by Professor Heaven Crawley, Director of the Centre for Migration Policy Research (CMPR) at Swansea University to improve knowledge and understanding of migration issues in Wales. The papers set out the evidence on migration to Wales in relation to key issues and themes that are of public and policy concern and provide up-to-date information about the composition and experiences of migrant, asylum seeking and refugee populations living in Wales.

The briefing papers can be downloaded at www.wmp.org.uk

Additional data and resources can be downloaded from the Wales Migration Portal
<http://wmp.infobasecymru.net/IAS>

The Wales Migration Partnership welcomes the reproduction of this briefing paper for the purposes of representation, education, training and campaigning, provided that no charge is made for the use of the material and the source of the information is acknowledged.