

Briefing on Asylum Support

Who we are?

[Asylum Matters](#) is a charity that works in partnership locally and nationally to improve the lives of refugees and people seeking asylum through social and political change. One of the main objectives of our work is to end the inhumane policies which push people seeking asylum in the UK into poverty and poor accommodation.

History of asylum support

People seeking asylum in the UK are effectively prohibited from working, whilst the Home Office is processing their claims, so they are forced to depend on support from the Government - provided under section 95 of the Immigration and Asylum Act 1999. Section 95 support rates were originally set at 70% of the social security benefit Income Support, on the basis that asylum seekers' accommodation and utility bills would be paid for separately. However, in 2008 the Government decided to break the link to income support payments, which led to a growing disparity between asylum and income support levels.

In 2015, the Government introduced a flat rate of support under which all people seeking asylum receive the same amount, regardless of age. This measure dramatically reduced support to asylum seeking families, as the amount of money paid to each child was cut by £16 per week. Each year this flat rate is reviewed and there have been minuscule increases given - from £36.58 in 2016, to [£40.85 in the 2021 review](#). On 21st December 2022 the Home Office [announced an interim increase to £45](#) after the High Court ruled, on 16th Dec, that the Home Secretary had acted unlawfully by failing in her legal duty to provide for the essential living needs of asylum seekers (see below 'December 2022 High Court ruling'). Support is provided on a pre-paid card called an ASPEN card. Refused asylum seekers who are awarded Section 4 support also receive this rate, but it is cashless support, so they can not actually withdraw money from the ASPEN card.

In 2020, due to the rise in the use of hotel accommodation, the Home Office introduced a payment of £8 per week, to cover clothing, non-prescription medicine and travel, for all those housed in full board accommodation, who had been awarded Section 95 support. This was increased to [£8.24 in the 2021 review](#) and in the interim increase in December 2022 to £9.10 (see below 'December 2022 High Court ruling').

There are additional payments of £3 and £5 per week for pregnant women and for children under the age of 3 and 5 years, as well as a maternity payment of £300, although these have never been increased through the review process.

How does the Home Office carry out its review?

The Home Office endeavours to [review the asylum support rate](#) every year, so as to ensure it covers essential living needs. The methodology utilised up until 2021 was a mixture of Office for National Statistics (ONS) data on expenditure (by the lowest 10% income group for certain items) and the Home Office's own market research for others. The amount is then adjusted for inflation using the Customer Price Index (CPI) rate. The market research is outlined in the Annex sections of the [yearly reports](#) up until 2021. The research consisted of assessing what the Home Office deemed to be the minimum number of essential items required and then researching the cost of them at various outlets. For example, in [the 2020 report](#) they lay out what a basic

wardrobe should consist of (this includes three pairs of underwear and three pairs of socks) and the cost of these was then assessed at Matalan, Tesco, Asda and Primark.¹ The agreed yearly cost of items was then divided by 52 (weeks in a year). In [2021](#), a simpler method was used of taking the previous year's rate and increase it by the September CPI rate, without using ONS data or market research. As part of each review the Home Office informally consults with NGOs working in the sector.

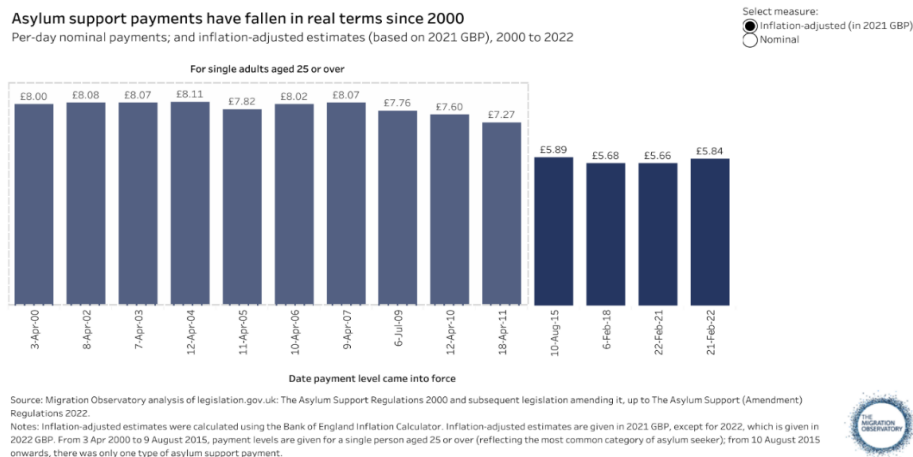
December 2022 High Court ruling.

On 16th December the [High Court ruled](#) that the Home Secretary had acted unlawfully by failing in her legal duty to provide for the essential living needs of asylum seekers. The case, brought by Greater Manchester Law Centre, Doughty Street Chambers and their [claimant CB](#), heard evidence that the Home Secretary ignored advice from her officials on three separate occasions, that she must increase the rate of weekly financial support paid to people seeking asylum in order to avoid breaking the law. The Court therefore ruled [support rates must be increased](#) and in response to this the Home Office, announced on 21st December that an interim increase would be put in place. On 9th January support rate payments increased to £45 per week and for those in full board accommodation to £9.10 per week, back paid to 21st December.

The case also challenged the Home Office's 2021 decision to change the methodology used to assess support rates. The Judge found the decision to abandon the previously tried and tested methodology (used up until 2020) in favour of increasing support levels by the Customer Price Index only was both unlawful and irrational. A full explanation of the case and its rulings can be found in the [Free Movement article](#). The full ruling can be seen [here](#).

Impact of living on asylum support and the cost of living

The current rate equates to 58% of the amount [Universal Credit awards to over 25s](#) and works out at £6.43 a day to pay for food, clothing, toiletries, transport and other essential items. Even though support has increased incrementally over the years, in real terms the support level is lower now than in the year 2000. This is demonstrated in [this article](#) by Refugee Action. The Migration Observatory in its briefing ['Asylum and refugee resettlement in the UK'](#) stated that *'In real terms, the payment level in 2022 is 27% lower than in 2000 (in 2000, £5.22 bought £8 worth of goods and services in 2021 GBP). Since the single asylum support payment was introduced in 2015, the level of the payment has fallen in real terms'* See graph below.²



¹ Page 27 & 69 [Report on review of cash allowance paid to asylum seekers and failed asylum seekers: 2020](#)

² Figure 15 – Migration Observatory briefing [Asylum and Resettlement in the UK](#) (Aug 2022)

One of the justifications for lowering asylum support rates was that people would be supported only temporarily. However, at the end of September 2022, there were 97,717 cases waiting more than 6 months for an initial decision.³ People living on the lower rate of £9.10 in full board accommodation are housed in hotels for many months, increasingly now for over a year.

The isolation and forced inactivity experienced by many asylum-seekers has a negative impact on their psychological well-being and is often compounded by the anxiety of providing for themselves and their families. In 2020 Asylum Matters surveyed over 180 people seeking asylum, both individuals and those in families, asking them to outline their experience of living on asylum support. The report [‘Locked into Poverty’](#) sets out the findings of our survey and revealed that 92% of respondents did not have enough money to buy all they need and 84% said they didn’t always have enough money to buy food. In the current cost of living crisis this hardship will only be compounded and exacerbated, even with the recent rates increase. This is demonstrated in this [Independent article](#) and these recent local media articles of people’s stories in [Birmingham](#), the [North East](#), [London](#) and again in [Birmingham](#).

Asylum Matters therefore believe that the rate of asylum support should be raised to at least 70% of mainstream benefits provided to over 25s, and that asylum-seekers and their adult dependents should be given the right to work after six months of having lodged an asylum claim or further submission, unconstrained by the very limited Shortage Occupation List.

³Asy_D03 <https://www.gov.uk/government/statistical-data-sets/asylum-and-resettlement-datasets>