

“I have got qualifications to work but I can't. We want to be treated like human beings, not aliens”

Right to Work

In 2007 Asylum Aid launched its Asylum Rights Watch survey, so that people who have come into contact with the UK's asylum system can tell us their experiences and contribute to our policy and campaigning work. This dossier summarises responses received between October 2007 and April 2008. During this period many respondents raised the issue that asylum seekers are not allowed to work in the UK. Respondents were highly critical of this policy and overwhelmingly supported asylum seekers being granted permission to work. This information sheet summarises the testimonies we received on this topic, and is illustrated by extracts from the submissions.

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What are the rules about asylum seekers' right to work in the UK?

In 2002, the Government removed asylum seekers' right to work. Although further changes introduced in 2005 mean that people who have been waiting over 12 months for an initial decision on their asylum claim can now apply for permission to work, in practice most asylum applicants cannot benefit from this concession, because the majority of initial decisions are made in less than 12 months - although it may take considerably longer to complete the appeals process, or receive a decision on a fresh asylum claim. Instead of allowing asylum seekers to work whilst they are waiting for a decision on their case, the Home Office provides them with financial support and accommodation.

"The asylum seekers I have met would love to be able to work and contribute to the community they are living in; I think that they should be allowed to work whilst waiting for their asylum claim."

Asylum seekers who have been refused and exhausted the appeals process are also prohibited from undertaking paid employment, even if the Home Office accepts that there are valid reasons why they are temporarily unable to leave the UK (such as there being no safe route of return to their country of origin). In these circumstances they will be provided accommodation and supermarket vouchers in order to cover their essential living needs whilst they remain in the UK (see separate dossier on destitution).

Why are asylum seekers denied the right to work?

The Government considers that allowing asylum seekers to work would act as a "pull factor" which would encourage more people to claim asylum in the UK.

"I feel I am treated like a prisoner because I am black and I am a foreigner. How many Britons have immigrated to other countries, I don't think they are bring treated like the way we are treated here. I have got qualifications to work but I can't. [We want] to be also treated like human beings not aliens"

What are the impacts of the current policy?

Responses indicated that asylum seekers are highly motivated to work. Many had worked before coming to the UK and expressed frustration that their career prospects are being damaged by enforced inactivity in the UK. We received submissions from skilled professionals including nurses, teachers and IT professionals. All were anxious to contribute to society and did not want to be dependent on state support, which in itself, was considered by many as being inadequate for meeting their essential living needs.

Testimonies submitted by friends and professionals working with asylum seekers similarly raised concerns that that the current restrictions were undermining asylum seekers' mental health and wellbeing and efforts to integrate into UK society.

Many respondents had been refused asylum but were waiting to hear if the Home Office would agree to consider a “fresh” asylum application from them (submitted for example, due to a change of circumstances since their previous decision). The considerable delays in dealing with these applications meant that they were being denied the right to work indefinitely, with no way of finding out when a final decision might be made on their case.

The right to work was also frequently raised by refused asylum seekers who were receiving Section 4 support because the Home Office recognised they were temporarily unable to return to their country of origin. Many had already been receiving Section 4 support for a considerable length of time and saw little prospect of their circumstances changing in the near future. Being denied the right to work therefore condemned them to prolonged deprivation, because of the extremely limited nature of section 4 support (accommodation on a no-choice basis and a small amount of supermarket vouchers to cover their essential living needs).

“Am Asylum seeker (Palestinian from Lebanon) arrived Nov1998, refused 2004...I had many opportunities to work in good jobs in IT but let down because of my status/work permission. If I applied in Canada instead 3 years later I would have got their citizenship!! Not sure why asylum system in UK cant be manage properly!”

“I want to do something for my family which is in Pakistan. I don't take any income support and no work in UK. In this situation what can I do I want to do work but I don't know how can you guide me. I am very upset mentally.”

“All we want is to be together as a family and for my partner to be able to work so we can get on with our life and contribute to our country.”

What can I do to change this policy?

Asylum Aid supports asylum seekers' right to work in the UK. We endorse campaigns being run by peer organisations in the refugee sector to reinstate asylum seekers' right to work. For ideas on how to take action on this issue, see www.refugeecouncil.org.uk/righttowork/

"I arrived in the UK in 2002 and claimed asylum on arrival. My case was refused. Shortly before I went to Tribunal I made a fresh application. My Tribunal case was refused. The Home Office has not responded to my fresh application and I have been in the UK for nearly 6years now. I also wish to be granted a work permit at least I could go to work whilst I wait for my claim"

Written by Carmel O'Sullivan and Melanie Gower.

The Asylum Rights Watch survey can be accessed through our website www.asylumaid.org.uk. Asylum Rights Watch is an ongoing project, and we produce regular dossiers summarising the responses received. For further information about the Asylum Rights Watch survey including previous dossiers of evidence and how you can help us to promote it, please go to the 'Asylum Rights Watch' section on our website.

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