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COALITION

Equality and Social Justice Committee

Anti-racist Wales

A joint response from the Welsh Refugee Council and Welsh Refugee Coalition

6 October 2023

About the Welsh Refugee Council:

We have been **empowering asylum seekers and refugees** to build new futures in Wales for 32 years. We deliver direct specialist support to our clients from our offices in Cardiff, Newport, Swansea, and Wrexham. We work with community, voluntary, and statutory sector partners to create a society where there is **respect and equality for all**.

We support asylum seekers and refugees at the most critical points of their lives. Our work enables people who have been forced to seek sanctuary to find their feet and begin **building a life in Wales**. Through our work, we help people to find a place to stay, to work to support themselves, to get access to English classes, legal advice, and community networks so they have what they need to begin again in their new homes.

About the Welsh Refugee Coalition:

The Welsh Refugee Coalition is a collection of organisations working in Wales with asylum seekers and refugees at all stages of their journey, and with the communities in which they live. We work together in the interests of asylum seekers and refugees to ensure that our limited resources can be used to their best effect and to speak with one voice on policies and practices affecting people seeking safety in Wales.

Through collaborative work, the Coalition contributes to a more equal, globally responsible Wales. Cohesive communities make Wales a welcoming place of safety where rights are enjoyed and asylum seekers and refugees can thrive.

Response

1. Introduction

- 1.1 We welcome the Welsh Government's consultation on the Anti-racist Plan (the Plan). We agree with the vision of Wales as an anti-racist nation and the purpose to collectively make a measurable difference to the lives of Black, Asian and Minority Ethnic (BAME) people. Together, we hope to make Wales an anti-racist nation by 2030, if not sooner.
- 1.2 We are grateful to the Welsh Government's continual efforts to make Welsh society more equitable. Their commitment to the Equalities Act 2010 and willingness not to remain idle is demonstrated by this Anti-racist Plan.
- 1.3 We are particularly appreciative of the Welsh Government's pledge to make Wales a Nation of Sanctuary (NoS). We support the fact the Anti-racist Plan makes Nation of Sanctuary and support for asylum seekers and refugees a specific area of the plan. We also appreciate the acknowledgement that the experience of racism as a refugee or asylum seeker is a unique way in which racism impacts on the lives of ethnic minority people.
- 1.4 Nevertheless, we agree with the previously highlighted issues around the overall implementation and delivery of the Plan. We must ensure that there are tangible outcomes across the Plan, not just wishful aims.

2. How we will respond to the consultation

- 2.1 The scope of the consultation is wide and considers many different aspects of Welsh public services. Whilst asylum seekers and refugees (AS&R) are affected and impacted by all the areas of the Plan and their respective goals, from leadership to childcare and play, our response will mainly address the area of Nation of Sanctuary, its goals, and the twelve actions.
- 2.2 Initially, we will look at the twelve actions relating to "become a Nation of Sanctuary through the implementation of the *Nation of Sanctuary: Refugee and Asylum Seeker Plan (2019)*".¹ We will consider the effectiveness of the Welsh Government actions to deliver the plan, including what is being done to 'lead by example' in taking a pro-active and cross-governmental approach to racism. Here, we will also evaluate the effectiveness of the Plan in its first year, including whether actions have been delivered, what the key outcomes have been so far, and to determine why any outstanding actions have not been implemented.
- 2.3 Where possible and relevant, we will also provide reference to goals and actions in other areas of the Plan.
- 2.4 Lastly, we will suggest what other interventions are needed to support delivery of the plan and whether there are barriers to implementing the plan.

3. Actions

Action	Welsh Government Action
Action 1	Ensure forced migrants living in Wales can access the advice and advocacy services that they need and are supported to effectively integrate with communities through the procurement and management of the Sanctuary Seeker Support Service
Action 2	Implement our Migrant Integration Framework for Wales
Action 3	Ensure the sustainability of English for Speakers of Other Languages (ESOL) Hubs to provide consistent high-quality language proficiency assessments and provision of appropriate language courses
Action 4	Ensure refugees are supported to avoid destitution and homelessness through continued funding for a 'Move On' accommodation project
Action 5	Revise Rent Smart Wales landlords' training to include an explanation of migrant rights to housing (including how this relates to refugees, those with No Recourse to 'Public Funds', EU Citizens, and others), how to easily check the status of migrants to prevent discrimination, and how to deal with racism and hate crime
Action 6	Provide advice to Public Bodies and capacity building support to the Third Sector to ensure those with No Recourse to 'Public Funds' (NRPF) are able to access services to which they are entitled to avoid them becoming more vulnerable to violence and exploitation and treated with compassion and harmful outcomes are avoided
Action 7	Seek to minimise data sharing between Welsh Public Bodies and the Home Office to increase migrant confidence to come forward for necessary healthcare or other essential support
Action 8	Health inequalities experienced by forced migrants are mitigated and reduced through ensuring the sustainability of the Cardiff and Vale Health Inclusion Service (CAVHIS), encouraging vaccine take-up and maintaining a focus on these communities as part of the work of Traumatic Stress Wales as well as a specific focus on supporting better access to mental health services among Black, Asian and Minority Ethnic communities
Action 9	Employability of forced migrants is supported through awareness raising of migrant rights to work with employers, sector-specific employment programmes such as the Wales Asylum and Refugee Doctors scheme and advocating for the right to work for asylum seekers
Action 10	Increase opportunities for forced migrants to access further and higher education through exploring funding changes and ensuring refugees continue to be considered as 'home students'

Action 11	Continue to advocate for improvements to asylum and immigration systems to prevent harmful outcomes for asylum seekers, refugees or other forced migrants
Action 12	Continue to support and uphold the rights and best interests of unaccompanied asylum-seeking children and young people. Programme for Government commitment to be further developed with policy lead

3.1 Action 1

3.1.1 We acknowledge the difficulties the Welsh Government faces in providing support for asylum seekers waiting for a decision from the Home Office. Immigration is a non-devolved matter and there is little scope for Welsh Government intervention regarding Home Office accommodation.

Expert Asylum Casework Advice

3.1.2 The Welsh Government funded Welsh Sanctuary Service (WSS) helps asylum seekers understand their rights and gives support at crucial points on their journey. This is a partnership that includes Asylum Justice, Bawso, DPIA, EYST, TGP Cymru, and the Welsh Refugee Council. Each partner provides specialised support in their relevant fields.

3.1.3 Caseworkers on the WSS project provide immigration advice and guidance. They also support asylum seekers to have financial support via Section 4, Section 95, and Section 98 applications, preventing them from becoming destitute and homeless.

3.1.4 The WSS project also helps asylum seekers that have fallen through the cracks in Home Office systems. Examples of this are making the case to reinstate housing following an erroneous eviction or resolving Aspen Card issues, giving people access to funds. This normally requires verifying ID documents and understanding Home Office communications.

3.1.5 Some Home Office documents are over 40 pages long and available in English only. These present obstacles to moving easily and quickly through the asylum-seeking process.

3.1.6 This action demands “provision of expert asylum casework advice” with the expected impact that “people seeking sanctuary will be supported to achieve better outcomes”.ⁱⁱ Current WSS funding across the six partners allows for 9 positions, only two of which are full-time:

- Asylum Justice - one part-time legal advice role
- Bawso - one part-time caseworker

- DPIA - one part-time training and engagement role
 - EYST - one part-time caseworker
 - TGP Cymru - two part-time caseworkers
 - WRC - two full-time and one part-time caseworkers
- 3.1.7** Another output for this action is “bespoke support for young people and other vulnerable groups”, but there are currently only four specific part-time roles that offer this support.
- 3.1.8** Despite the contract value remaining the same over the last 5 years, the WSS is achieving great things. But the necessary funding for investment or development in new areas of work is lacking. There has been no additional funding to enable the project to pivot to the changing needs that a widening of dispersal plan brings.

Widening of Dispersal

- 3.1.9** The UK Government’s Nationality and Borders Act 2022 brought about a range of changes to UK immigration and practice. The most pressing of these is the move from focused and targeted areas for dispersing asylum seekers to opening up dispersal across Wales.
- 3.1.10** The widening of the dispersal plan is one of the biggest legislative changes in immigration practice in decades. Previously, asylum seekers in Wales were placed in Cardiff, Newport, Swansea, and Wrexham. It is in these communities where asylum seekers would begin their process of integration.
- 3.1.11** The widening of dispersal to all Welsh local authorities will require a Welsh Government strategy rethink of funding to service provision. Funding needs to take account of new UK asylum developments and our Nation of Sanctuary vision within this Anti-racism Plan.

Recommendation 1 - Increase WSS funding and maintain it past 2025 to meet the outputs and ensure the impact of this action.

- 3.1.12** Most local authorities in Wales will have no prior experience of supporting asylum seekers. By the end of 2023, the largely rural areas of Ceredigion, Pembrokeshire, Powys, and Ynys Mon will receive 60, 96, 105, and 55 asylum seekers respectively. Likewise, other areas in Wales will struggle to meet the needs of asylum seekers without investment.
- 3.1.13** No Recourse to Public Funds (NRPF) is an area where we see a significant gap in understanding in both frontline services across Wales and among higher level staff within local authorities. Without investment in NRPF training and support, a sharp increase in destitution can be expected.

Recommendation 2 - Fund training for local authorities so frontline staff understand the complexities of asylum seeker needs and their rights in a Welsh environment. Increase WSS funding and maintain it past 2025 to meet the outputs and ensure the impact of this action.

3.1.14 In some parts of Wales, there are smaller community groups providing support for the integration of asylum seekers. None are registered with the Office of the Immigration Services Commissioner (OISC). The OISC is an executive non-departmental public body sponsored by the Home Office to regulate immigration advisers. It ensures they are fit, competent, and act in their clients' best interests. Organisations providing immigration advice and guidance must by law be registered with the OISC. As well as registration, staff providing immigration advice must undertake OISC training to update their knowledge to be in line with changes to UK immigration law.

Recommendation 3 - Increase service delivery funding to OISC organisations so that face-to-face services can be provided across Wales ensuring equity of access.

Immigration Legal Advice

3.1.15 The current status of immigration legal advice in Wales is alarming. Back in 2022, the majority of Wales was described as a 'legal aid desert'.ⁱⁱⁱ The situation has only got worse.

3.1.16 A recent report from the Bevan Foundation found that Wales has lost nearly half of its providers of immigration legal services.^{iv} The remaining providers are struggling financially under legal aid fees and billing structures. It is not financially sustainable to maintain a business delivering services under legal aid. An immigration legal aid firm which was forced to close its legal aid office in Cardiff this year opened 47% of matter starts in Cardiff, and nearly a quarter of all in Wales for 2022-23.^v Since their closure, they have been unable to refer their caseload to other providers. The immigration legal aid market in Wales now relies heavily on just one provider.

3.1.17 The collapse of the immigration legal aid sector is having a major impact on access to justice. The capacity of third sector providers and the remaining legal aid firms is also adversely affected. Many providers of free immigration advice are currently either closed to, or considering suspension of, new referrals.

3.1.18 Asylum Justice is the only OISC Level 3 organisation in Wales that provides free immigration and asylum advice and representation if legal aid is unavailable. With many unable to access legal aid for

even the most basic stage of their claim (e.g. for an initial asylum claim), demand for such services has grown exponentially. As of 1 September 2023, Asylum Justice received as many enquiries/referrals as they had done in the whole of the 2022 calendar year.

Recommendation 4 - The Welsh Government to adapt all the relevant recommendations from the Bevan Foundation's *Firefighting: protecting legal aid funded immigration services in Wales* report. Above all, the Welsh Government should implement an interim crisis fund to facilitate access to immigration legal advice and representation.

The Welcome Ticket

3.1.19 The unavailability of support services, especially in terms of legal aid, means asylum seekers will be forced to travel to find it. Towns and villages within these local authorities have poor transport links. Those that do exist are expensive. Although the Welcome Ticket is currently open to refugees, it is not the case for asylum seekers. With a £45 weekly allowance, the cost of travelling to a bigger city to seek support is simply unaffordable. The Welsh Government's pilot project providing free public transport for asylum seekers between January and March 2022 demonstrated the appetite for this initiative.

Recommendation 5 - Extend the Welcome Ticket to asylum seekers and ensure the scheme continues after March 2024.

3.2 Action 2

3.2.1 Migrant integration is vital to ensuring that asylum seekers can fully participate in society, by accessing meaningful opportunities to engage in economic, social, and civil life in Wales. We recognise that The Migrant Integration Framework for Wales takes the unique approach to measuring integration by utilising indicators from both the Home Office Indicators of Integration framework as well as the National Wellbeing Indicators that centres global responsibility and community cohesion.

3.2.2 We welcome the development of a consistent approach to better support asylum seekers by:

- establishing the nature or extent of migrant integration, including identifying challenges and barriers.
- finding consensus across Wales in supporting migrants and communities
- assessing the impact and sharing learning surrounding effective approaches that support migrants and receiving communities.

Widening of Dispersal

- 3.2.3** The widening of dispersal areas throughout all 22 local authorities is placing asylum seekers in local authorities which have historically not supported them before.
- 3.2.4** Communities may not be prepared to welcome asylum seekers and feel as though their concerns are not being listened to. We saw this with the protests against the Stradey Park Hotel housing asylum seekers in Llanelli. Carmarthenshire local council shared there were high levels of tension, misinformation, and safety concerns, resulting in asylum seekers not being housed on the site. Integration relies on community buy-in, and additional support is needed throughout all dispersal areas to prepare communities to welcome asylum seekers.
- 3.2.5** Lived experience experts across the City of Sanctuary network shared that schools are often a hostile environment. Asylum seekers and refugees shared that bullying is rife in schools, with children not wanting to attend. In addition, parents shared that when they wear their 'hijab or religious clothing', other parents refuse to talk to them. Asylum seekers and refugees in these networks emphasised that social spaces are vital for integration. However, resource limited regions in Wales do not have the infrastructure to support this and therefore, community groups and volunteers are providing this on an ad hoc basis. This is unsustainable, and results in a postcode lottery of support to integration.
- 3.2.6** There have been many barriers which have prevented effective measurement of migrant inclusion, the lack of trust asylum seekers and refugees have with services is understandable in the context of anti-migrant rhetoric both in media and legislative proposals in UK parliament. We welcome this action and that it has been developed and consulted with asylum seekers and refugees, however until it has been actioned, the effectiveness cannot be assessed. Ultimately, as a tool for measurement, this needs to be put into effect, however, a known barrier must be targeted to ensure asylum seekers are initially met with welcome.

Recommendation 6 - Fund specialist asylum seeker and refugee organisations to operate across all local authorities to run community information events in community hubs, such as schools, libraries, and community sites to dispel myths about asylum seekers and co-produce solutions with community members to support integration.

Recommendation 7 - Ensure that the framework in Wales is co-produced/created and includes people with lived experience.

3.3 Action 3

- 3.3.1** The recently published *A review of English for Speakers of Other Languages (ESOL) policy for Wales* report determined how well formal ESOL provision in Wales performed in offering adequate and timely support to learners.^{vi}
- 3.3.2** Participants in the research reported concerns about the way ESOL provision was funded and how that is linked with course completion figures and assessment results. There were also worries about the lack of a joined-up approach between different providers across Wales and the difference in provision and delivery depending on area.
- 3.3.3** The report found that ESOL settings created accessibility issues for parents with childcare responsibilities, especially women, and that services have not adapted to meet their needs.^{vii} Overall, there were increased accessibility issues for disadvantaged groups.
- 3.3.4** The report had a whole section on access to ESOL for those subject to varying immigration statuses (including migrants, forced migrants, refugees and asylum seekers or persons with other forms of humanitarian protection). The main findings in these areas is the lack of provision outside the previous four original dispersal areas. There is also a lack of consistency in levels of awareness about what funding is available to support these learners depending on the area of Wales.^{viii} Location has a huge impact on the ESOL outcomes of asylum seekers and refugees.
- 3.3.5** Overall, there was a lack of training available for ESOL teachers to properly do their job.
- 3.3.6** ESOL providers are crucially placed to promote the inclusion and well-being of all migrants, including asylum seekers and refugees. Moreover, the report's findings make the case for more holistic, flexible models of language education to complement the current formal provision. ESOL classrooms are in a unique position to play a greater role in fostering a sense of belonging, understanding, and participation in Welsh society. Teachers and providers need to be made more aware of their role in this aspect and how to develop it in the ESOL classroom.^{ix}

Recommendation 8 - The Welsh Government to meet and fulfil the 40 recommendations from the *A review of English for Speakers of Other Languages (ESOL) policy for Wales* report.

3.4 Action 4

Support for Newly Recognised Refugees

- 3.4.1** The Welsh Government funds our Move On service which supports new refugees navigating the very short 28-day move on period. Our aim is to prevent destitution and homelessness.
- 3.4.2** The UK Government and the Home Office have made the cutting of the asylum backlog a priority. As a result, we are seeing an increased number of asylum decisions, both positive and negative, from the Home Office.
- 3.4.3** Tai Pawb's *Refugee Housing and Support Feasibility Study* pointed to the "significant barriers experienced by refugees once they are granted leave to remain to finding appropriate accommodation and support that enables them to move on with their lives, integrate into society and avoid destitution".^x
- 3.4.4** During the move on period, our caseworkers make referrals to local authority housing options services to take steps to prevent homelessness. We support people with accessing financial assistance, such as Pension Credit, Universal Credit, Child Benefit, Social Fund, and Healthy Start assistance. We assist with documentation, including National Insurance numbers, Integration loans, and travel papers.
- 3.4.5** Our Move on service also:
- Makes referrals to social services and assists with safeguarding
 - enables access to child and/or adult education opportunities, helps access to ESOL lessons, employment qualifications, and assistance with university or college applications
 - raises awareness of healthcare access and translates questions to enable GP registration and dentist and hospital appointments
 - offers support for people facing hardship or destitution in the form of food parcels, referrals to foodbanks, and partner organisations which can provide other necessities, such as clothing
 - helps with setting up bank accounts, banking applications, and liaising with the bank on behalf of clients
- 3.4.6** Our Move On service also covers other areas of the plans and helps to meet their goals and actions.
- 3.4.7** At WRC, we employ seven Move On caseworkers (4FT and 3PT) and a Housing and Landlord Caseworker. On average, each caseworker is seeing eight to ten refugees a day, twice the number seen at this point last year. This caseload increase obviously reduces the time available to carry out administrative tasks and update our internal information systems.
- 3.4.8** Our internal WRC data indicated that from the period since 1 July 2023, there has been a 96% increase in new clients compared to the

two-month period beforehand. When considering the total number of face-to-face sessions over this same period, the increase is of 29%.

Case Study 1

“Every month we are seeing more newly granted refugees, but we don’t have the staff to deal with these numbers. Every case is urgent, because they are all in desperate situations. We help large families, which takes a lot of time, because we have to look at five or six different sets of documents. We have so many people dropping into the office because they need help. It makes me so sad that we don’t have capacity to help all of them. I don’t have time to do any of the admin work my managers task me.”

Cardiff Move On Caseworker

3.4.9 The annual budget for the Move On service has only seen one increase of 6% in over five years. Due to inflation over the period, the project has seen a significant real term budget reduction overall.

3.4.10 This year-on-year budget reduction makes it increasingly difficult to recruit and retain staff and adds constraints to effectively managing the project. Our aim is to develop further, but funding restrictions have created barriers to innovation and digital solutions needing to be explored.

3.4.11 As with Action 1, move on provision is going to be affected by widening dispersal. Many of the issues and recommendations under that action are also relevant here. Once more, funding needs to take into account these developments.

Widening of Dispersal

3.4.12 The Welsh Refugee Council provides a freephone telephone hotline enabling calls from anywhere in Wales but there are difficulties in effectively dealing with client issues when remote. During the Covid pandemic lockdowns, when services were reduced to telephone only, our caseworkers found it would take eleven calls to resolve a single client’s issue.

3.4.13 In the absence of adequate support services, refugees risk falling through the cracks, especially during the 28-day move on period. Without knowing what to do and lacking financial resources, many newly granted refugees will become destitute and homeless. Without increases to the Move On budget, to enable adaption in line with widening of dispersal, homelessness instances will certainly increase across Wales.

Recommendation 9 - Increase funding to Move On service providers to ensure refugees can find alternative accommodation, access bank accounts and work/social security, as quickly as possible, avoiding destitution and homelessness. This should be consistent with inflation and with the widening of dispersal.

Homelessness

- 3.4.14** We recognise that homelessness is increasing across all sectors of society and that the Welsh Government's budgets are stretched, but newly granted refugees are particularly at risk for four key reasons:
- having lived on Home Office support of £45 per week, most have no savings to pay for deposits, several months' rent in advance, or to enter 'bidding wars' for private rents
 - most landlords demand a UK-based guarantor, which newly granted refugees do not have
 - the 28-day move on period provides inadequate time to access the overwhelmed homelessness prevention services or bond schemes
 - many are still developing their English language skills by the time they get refugee status, making it difficult and confusing to access non-specialist refugee support
- 3.4.15** Participants in Tai Pawb's *The experiences of homelessness of people with protected characteristics in Wales* highlighted the 28-day notice as the main reason for them becoming homeless.^{xi}
- 3.4.16** Similarly, there are other substantial barriers to accessing education, employment, or healthcare.

Recommendation 10 - Consider the Nation of Sanctuary Plan's objective "to prevent the most harmful problems experienced by refugees and asylum seekers in Wales"^{xii} and the Anti-racist Plan's challenge to actively identify and eradicate policies, systems, structures, and processes that produce radically different outcomes for ethnic minority groups. Refugees face systematic and structural barriers to enter private rents which force them to fall into local authorities' homelessness services.

- 3.4.17** With the updated Home Office ceasing Section 95 support instructions, newly granted refugees are sometimes being given 7-day notice to quit letters. We are already seeing newly granted refugees being given notice to quit letters before their Biometric Residence Permit (BRP) arrives. Although in these cases they can

apply for reinstatement of support, some may be unaware of their rights and will be unable to access any other support.

- 3.4.18** In the current housing crisis, 28 days is simply not enough time to secure any type of secure, long-term accommodation, let alone one that is suitable. The 28-day move on period also puts newly granted refugees at a disadvantage. The Housing (Wales) Act 2014 places duties on local authorities to help those deemed at risk of homelessness within 56 days.

Recommendation 11 - Welsh Government to lobby the UK Government and Home Office to increase the 28-day eviction notice period to 56 days. Welsh Government to also work with local authorities to provide interim bridging accommodation for at least 28 days to provide newly granted refugees an equal footing.

3.5 Action 5

- 3.5.1** We have not assessed Rent Smart Wales' landlord training to see if it has been revised to include an explanation of migrant rights to housing. A search on Rent Smart Wales' website includes very few mentions of refugees, and most of these refer to making homes available for Ukrainian refugees only.
- 3.5.2** Over the last year, a number of landlords have got in touch saying they are interested in renting to refugees with the expectation that they are entitled to a £500 payment. We presume this is the result of some confusion relating to the UK Government's monthly 'thank you' payment to Homes for Ukraine hosts.
- 3.5.3** Anecdotally, we have heard of landlords who do not understand the differences between asylum seekers and refugees. Consequently, they believe refugees cannot rent because they cannot work or are not entitled to benefits.
- 3.5.4** We have consulted the National Residential Landlords Association (NRLA) and Propertymark to understand what guidance and training they provide to their members on renting to refugees. Neither had any specific materials but both said they would be open to taking this in hand and to collaborate with the relevant stakeholders, including the Welsh Government.

Recommendation 12 - Rent Smart Wales to clarify what training is provided to landlords on migrant rights to housing (including how this relates to refugees, those with NRPF, EU Citizens, and others).

3.6 Action 6

3.6.1 The condition of no recourse to public funds (NRPF) excludes asylum seekers from accessing a range of benefits, such as income support, child tax credit, universal credit, and housing benefits. This results in asylum seekers who have this condition imposed remaining in their situation and struggling to find support. Often, they are trapped in a cycle of signposting without a resolution.

Local Authority Support

3.6.2 We welcome the need for training for frontline staff in local authorities to be better able to support asylum seekers and refugees. However, it is concerning to see funding only ring-fenced until 2023. The nature of the asylum seeking, and refugee sector is constantly changing and without continued funding, asylum seekers with no recourse to public funds will not be supported.

Recommendation 13 - Fund training for local authorities focusing on No Recourse to Public Funds, so frontline staff understand the complexities of asylum seeker needs and their rights in a Welsh environment.

Recommendation 14 - Provide ring fenced funding for each local authority to provide financial support to asylum seekers that reside in the local area.

Legal Aid Advice

3.6.3 We welcome the action to provide ongoing funding to ensure last line immigration legal advice is available. However, clarity is needed on how this will be implemented. Currently, Asylum Justice are the only OISC Level 3 organisation in Wales to provide free representation in non-asylum immigration cases, where legal aid is out of scope. Therefore, playing a vital role in ensuring that vulnerable migrants secure or maintain legal status in the UK, allowing them to access public funds or work, avoid falling into destitution, and to integrate fully into Wales.

3.6.4 Currently, they are operating on a waitlist as they do not have the capacity to meet current demand, resulting in people not accessing the service through the Wales Sanctuary Service (WSS) scheme in a timely manner. Individuals with no recourse to public funds will be destitute and with no support to challenge will face undue hardship.

Recommendation 15 - Work to address the lack of immigration advice in Wales either through WSS or other consortiums. Provide an additional grant for Asylum Justice beyond the scope and timetable of the Wales Sanctuary Service project.

Recommendation 16 – Revise and strengthen the NRPF toolkit and ensure local authority compliance.

3.7 Action 7

3.7.1 We welcome the action to minimise data sharing between Welsh public bodies and the Home Office to increase migrant confidence to come forward for necessary healthcare or other essential support. This will prevent harmful health outcomes, domestic abuse, and exploitation. To do this, trust and support should be embedded from day one.

Seeking Support

3.7.2 Asylum seekers understandably fear the Home Office and harmful anti-immigration rhetoric impact disclosures of abuse and prevent them from seeking support. Welsh Women’s Aid report exploring the lack of support for survivors of domestic abuse with no recourse to public funds, *No Women or Child Turned Away*, shows us that survivors of abuse with restricted or insecure immigration status and therefore imposed with the condition of no recourse to public funds encounter an unsustainable method of support (if they are able to access it). For survivors, this results in them fearing their cases will be shared with Home Office and they will be deported, forcing survivors to remain with abusive partners, putting them at further risk of harm, exploitation, modern slavery, or facing destitution.

3.7.3 Engaging proactively with migrant communities to increase confidence is necessary. However, this needs to be done in a trauma informed manner, that centres asylum seekers feelings, wishes and wants. It is vital to link this engagement work with community groups and asylum seeker and refugee organisations throughout Wales as they have already formed the trusted relationships and will be able to provide the wrap-around support following engagement.

Case Study 2

“I want researchers and those inviting asylum seekers to recognise that talking about asylum seekers issues are important. We need you to listen to us, but this is really traumatising. I will need days to recover.”

Expert by experience giving evidence to Commission on the Integration of Refugees

Recommendation 17 - Provide mental health support for engagement activities for experts by experience.

3.8 Action 8

- 3.8.1** We are grateful to see the action focusing on health inequalities experienced by forced migrants are to be mitigated and reduced by ensuring the sustainability of the Cardiff and Vale Health Inclusion Service (CAVHIS), encouraging vaccine take-up and maintaining a focus on these communities as part of the work of Traumatic Stress Wales as well as a specific focus on supporting better access to mental health services among asylum seekers and refugees.
- 3.8.2** To effectively do this, proactive approaches to engagement is needed with asylum seekers. There are many barriers to accessing healthcare, such as the lack of fluency in English or Welsh. It is the responsibility of the health board to arrange translation. Often though, asylum seekers ask trusted community members to provide this support, impacting how readily they can access healthcare. This may impact trust levels between asylum seekers and healthcare professionals.
- 3.8.3** Another barrier that asylum seekers have colloquially shared are that they are unaware of where to access healthcare. Therefore, the onus should be on healthcare providers to reach out to asylum seeker communities in their local authority to ensure healthcare is accessible.

Case Study 3

Gwent Health Inclusion Service used innovative approaches to engage with asylum seekers around their healthcare focusing on building trust between healthcare professionals and asylum seekers. During the Covid-19 pandemic, the team focused on running foodbanks and toy drives to build community with asylum seekers and used these opportunities to carry out assessments and interventions and connecting them to further healthcare.

Recommendation 18 - Commission local asylum seeker and refugee organisation to develop pathways with health care providers to ensure seamless access to healthcare.

Recommendation 19 - Ensure sustainability and enhancement of other specialised health services e.g., Wrexham, Swansea, and Newport Health

Teams. Ensure more work is done on promoting health access, including own language information, access to interpreters and reassurance to asylum seekers around data sharing.

3.9 Action 9

3.9.1 We welcome the action focused on employability. Asylum seekers often share that they want to utilise their skills in Wales. There are numerous barriers to access employment, such as the lack of understanding of Welsh work culture and the lack of understanding of migrant rights within the workforce. Training and engagement are necessary to remove barriers to employment and increase understanding of skills migrants have to offer.

3.9.2 Welsh Refugee Council delivers employment support services for asylum seekers and refugees. This consists of assigning a coach to mentor the service user and support in attending a range of activities:

- employability workshops
- job vacancies, training courses, and volunteering opportunities
- CV, job application, and interview support
- careers advice
- funds for vocational training
- employability programmes with Admiral and Ikea

Case Study 4

“The Ikea Uppna program was extremely helpful in many ways. I found the workshop invaluable as it explained many aspects of the employment market and how it works, such as equality diversity policies, minimum wages or how to write a CV and a cover letter. The program enabled me to feel confident and I have successfully used the newly gained knowledge to secure employment. I’m grateful.”

Participant in employability project

Recommendation 20 - Increase funding to recruit additional coaches for the employment project to increase the capacity of project to reach refugees.

Sector Specific Employment Programme

3.9.3 It is vital to create sector specific employment programmes as this benefit both asylum seekers and refugees as well as Wales overall.

Case Study 5

The Wales Asylum Seeker and Refugee Doctors (WARD) Group
Refugee and asylum-seeking healthcare professionals face significant barriers to revalidating their medical qualifications to practise in the UK. The WARD group supports doctors and dentists to restart their medical career and helps maintain future doctors' numbers with the NHS.

Since its conception, 280 healthcare professionals have joined the NHS. Crucially, revalidating medical qualifications costs £30,000 per each doctor completing the scheme. In comparison, training new doctors' costs £225,000.

3.9.4 The Wales Asylum Seeker and Refugee Doctors (WARD) scheme highlights the need Wales has in ensuring forced migrants' skills are utilised. However, not much focus has been on creating schemes in non-healthcare sectors. It is disappointing to see that funding ceased in December 2022, and there are no plans to continue this.

Recommendation 21 - Action people with lived experience led review of Restart and other employability programmes to identify the challenges, gaps, and need for adaptability of current employee programmes

Recommendation 22 - Restart funding to support fast-tracking of revalidation of qualifications for sectors lacking in qualified staff.

3.10 Action 10

3.10.1 We are happy to see a focus on increasing the opportunities for forced migrants to access further and higher education through exploring funding changes and ensuring refugees continue to be considered as 'home students.' However, the lack of timeline in commitment results in asylum seekers and refugees not accessing educational opportunities.

Recommendation 23 - A concrete timeline for when higher education fees match 'home students.'

Recommendation 24 - Investment in further growth of the schools, colleges, and universities of sanctuary networks would ensure migrants can access all opportunities and reach their full potential.

3.11 Action 11

- 3.11.1** We are grateful that the Welsh Government has continued to represent the ethos of a NoS in stark contrast to the increasingly hostile immigration policies of the UK Government. In particular, we are proud of the Welsh Government and Senedd's strong objection to the recent Illegal Migration Act and the vote to withhold legislative consent.
- 3.11.2** As actions 1 and 5 show, the Welsh Government could be doing more. The impact and operation of UK Government asylum dispersal and refugee resettlement programmes need to be assessed and recommendations for how these schemes should apply in Wales need to be made.
- 3.11.3** We stand firm with the Welsh Government in their opposition to the Home Office's plans to use the Stradey Park Hotel in Furnace, Llanelli, to house over 200 asylum seekers. Continually housing large groups of people in the restricted space of a hotel is not conducive to integration and will not create the conditions for the asylum seekers to thrive. Carmarthenshire County Council has a proud track record of successful integration through dispersal across the community with previous refugee resettlement programmes. This is proof that alternatives do exist.
- 3.11.4** We are horrified by the anti-migrant and racist reactions to the plans. In Wales, these are not unique to Llanelli. Plans for a housing development for Ukrainian refugees in Llantwit Major and at the Penally barracks produced a similar backlash. This hostility, even if it comes from a minority, dampens the Welsh Government's aims of Wales being a Nation of Sanctuary and an anti-racist society.
- 3.11.5** We appreciate that decisions around asylum hotels, and asylum policy more broadly, are the Home Office's remit. We also acknowledge that communication with the Home Office can be complicated, or at times, non-existent. But, the reaction seen in Llanelli has been a failure on many sides to provide any integration. More work could have been done on the ground earlier in terms of community cohesion. The response from all the relevant stakeholders felt like too little, too late.

Recommendation 25 - The Welsh Government to continue to oppose the use of hotels, disused military sites, or barges to house asylum seekers at large scales in Wales. Instead, it should advocate for integration through dispersal in the community.

Recommendation 26 - The Welsh Government to research and release a report on the lessons learnt from Penally, Llantwit Major, and Stradey Park. The objective would be determining the failings which led to very public demonstrations of anti-migrant discrimination and racism. The report should

also include recommendations on how the Welsh Government and other stakeholders will avoid incidents like these in the future.

3.12 Action 12

- 3.12.1** We are grateful that in Wales, all unaccompanied asylum-seeking children are treated as “looked after children” in line with Part 6 of the Social Services and Well-being (Wales) Act 2014. The Act places duties and powers on local authorities to assess and meet their care and support needs.
- 3.12.2** Welsh Government guidance states that when encountering an unaccompanied child, a local authority must consider whether the child is at risk of serious harm. The possibility that the child has been trafficked should be assessed. The duty to protect and safeguard children is a permanent obligation whether a child is in local authority care or not.
- 3.12.3** The Illegal Migration Act (IMA) grants the UK Secretary of State powers to make arrangements for the removal of unaccompanied children. The IMA also gives the Home Secretary the power to detain a person “of any age”, “in any place” considered appropriate, including unregulated settings.
- 3.12.4** These powers would conflict with the Welsh local authorities’ duties of assessment and safeguarding. It would restrict the power of local authorities to meet unaccompanied children’s needs through care, accommodation, and support.
- 3.12.5** Age assessment falls under the devolved area of social care in Wales. The IMA has introduced powers for inaccurate scientific methods of age assessment that have been rejected by the British Association of Social Workers (BASW). It also clashes with the existing duty of social workers to assess the age and needs of unaccompanied children.
- 3.12.6** The Act has introduced powers to order local authorities to provide information about a child or to order a local authority to hand over a child regardless of any duty of care.
- 3.12.7** The Act’s provisions do not recognise the devolved context and enable the Secretary of State to act without the consent of Welsh Ministers or Senedd Cymru.
- 3.12.8** The Senedd voted to withhold legislative consent on the IMA in May 2023, before it had received royal assent. It remains unclear in what ways the Welsh Government will continue to support and uphold the rights and best interests of unaccompanied asylum-seeking children and young people now that the bill is an act.

Recommendation 27 -The Welsh Government to explain in what ways they will continue to support and uphold the rights and best interests of unaccompanied asylum-seeking children and young people under the Illegal Migration Act.

4 Final Considerations

4.1 Neither the Anti-racist Plan nor the Nation of Sanctuary plan exist in a vacuum. The increasingly hostile policies from the UK Government and the poisonous media debates surrounding Channel crossings or the Black Lives Matter movement represent a challenge to both plans. To make Wales a NoS and an anti-racist society, the Welsh Government must be prepared to be bold in defence of these principles.

4.2 Both plans require the support of a variety of stakeholders within Wales and outreach to society at large. The organisations that are expected to deliver these plans must be financially supported to do so. If not, we run the risk of creating yet another plan with no tangible outcomes.

ⁱ Welsh Government, Anti-racist Wales Action Plan (2022), p. 108

ⁱⁱ Anti-racist Wales Action Plan, p. 108

ⁱⁱⁱ Jo Wilding, Refugee Action, No Access To Justice: How Legal Advice Deserts Fail Refugees, Migrants And Our Communities (May 2022), p. 22

^{iv} Bevan Foundation, Firefighting: protecting legal aid funded immigration services in Wales (September 2023), p. 3

^v Ibid

^{vi} Welsh Government, A review of English for Speakers of Other Languages (ESOL) policy for Wales (July 2023), p. 4

^{vii} A review of English for Speakers of Other Languages (ESOL) policy for Wales, p. 20

^{viii} A review of English for Speakers of Other Languages (ESOL) policy for Wales, pp. 27-28

^{ix} A review of English for Speakers of Other Languages (ESOL) policy for Wales, p. 49

^x Joy Kent, Tai Pawb, Refugee Housing and Support Feasibility Study (May 2019), p. 6

^{xi} Tai Pawb, The experiences of homelessness of people with protected characteristics in Wales (March 2023), p. 24

^{xii} Welsh Government, Nation of Sanctuary – Refugee and Asylum Seeker Plan (January 2019)