

Human rights in asylum accommodation

A resource pack
for activists

October 2023

justfair

Introduction

In September 2023 Just Fair and Human Rights Watch published a new report, [“I Felt So Stuck’: Inadequate Housing and Social Support for Families Seeking Asylum in the United Kingdom.”](#)

The report examines the experiences of families and unaccompanied children in hotel accommodation in England and identifies practices and outcomes that breach human rights and fall far short of the requirements of UK law.

The purpose of this resource pack is to support activists to better understand how the experiences of people seeking asylum detailed in the report are violations of human rights, and use this understanding in their own work.

This pack is split into the following sections:

- Explainers on economic, social and cultural rights and calling for rights.
- Talking to decision makers.
- Setting the scene - an overview of asylum accommodation in the UK.
- Fact sheets on the rights to housing, food, education, work, and social security.

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Economic, social and cultural rights

What are economic, social and cultural rights?

Economic, social and cultural rights (ESCR) are recognised in international human rights law as the essential conditions needed to live a life of dignity and freedom. One of these international laws is the International Covenant on Economic, Social and Cultural Rights ([ICESCR](#)) – you can read our plain English version of this treaty [here](#). It includes rights like food, housing, social security, health, education, and work.

The UK Government ‘ratified’ the ICESCR in 1976. By doing so, the UK Government and public authorities have obligations including to:

- **Respect rights - not prevent people from enjoying them.**
- **Protect rights - not allow others to prevent people from enjoying them.**
- **Fulfil rights - take measures to move towards full realisation of economic, social and cultural rights.**

However, while these rights are binding in international law, we can’t currently take the UK Government or devolved governments to court if our rights are violated because we don’t have these rights in our domestic laws across the UK.

So, a crucial missing step is the ‘incorporation’ of ESCR into domestic law. If these rights were incorporated into domestic law, the UK Government would have to act to protect people, and if they didn’t, we could (as a matter of last resort) take legal action.

In the meantime, Just Fair is working with organisations and individuals across the UK to help them understand and demand that these rights are fulfilled here and now.

Human rights framing

Our report shows that the UK Government is failing to respect, protect, and fulfil the rights of people seeking asylum. It is up to all of us to hold the UK Government and public authorities to account on their international human rights obligations. We can do this by putting human rights at the centre of our campaigns and calling for them to be at the forefront of policy and practice. This is known as ‘human rights framing’.

Using human rights framing in our campaigns and programmes can shift the focus from ‘sticking plasters’ to long-term solutions. It encourages people to know and claim their rights and hold public authorities to account when they fall below what is expected of them.

As an activist or organisation using human rights framing, you have a key role to play in supporting your community to know and claim their rights, so that together you can make the changes that matter.

There are many ways you can apply human rights framing in practice. In this toolkit, we provide some suggestions for approaching the UK Government and local authorities.

We also provide factsheets on five key rights that our report found were often violated in asylum accommodation:

- The right to housing
- The right to food
- The right to education
- The right to work
- The right to social security

These factsheets are designed for you to use as evidence and arguments in your own campaigning and advocacy.



Economic, social and cultural rights explained

The right to work & rights at work

- everyone has a right to work and to choose where to work.

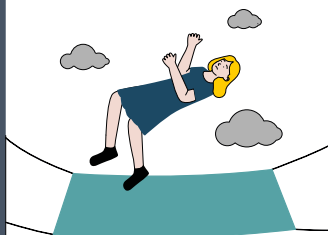
People have the right to just and favourable conditions at work meaning fair wages, safe & healthy conditions, and rest & leisure time. People also have the right to join and form trade unions to fight for fair pay and good working conditions.



The right to social security

- everyone has the right to social security.

This means that governments must make sure there is a social security system that provides money or other support to help people who become sick, are disabled, or fall on hard times.



Protecting the family

- especially mothers and children

Governments must give special protection and help to the family. This includes everyone being able to choose whether and who to marry, looking after mothers during pregnancy and after birth, helping children for example by protecting them from exploitation, and setting an age below which children must not work.



The right to an adequate standard of living

- which includes adequate food, housing, and clothing.

Everyone has the right to a quality of living that gets better over time. Everyone should be free from hunger, and live in housing that is affordable, habitable, and secure.



The right to health

- everyone has the right to the best standard of physical and mental health.

Governments have to make sure babies & children grow up healthy, diseases are prevented, and the environment does not negatively impact health.



The right to education

- everyone has the right to education

This should be centred around the development of the human personality and a sense of its dignity, it should enable people to participate in a free society.



Talking to decision makers

We need decision makers to get behind our campaigns and take action for human rights, including MPs and local authorities.

You have the right to have your views heard and to take part in the democracy we live in. Local politicians - like MPs and councillors - are elected to represent people and their communities. It is their job to listen to you and represent your views in local and national government.

The aim of talking to your local politicians is to help them better understand the perspectives and experiences of the people they represent. This could influence them to work for new laws and systems that better suit your community's needs.

All about MPs

MPs (Members of Parliament) are voted for in general elections to represent people in their area. It doesn't matter whether you voted for your MP or not - they are there to work for you, to support you, and to represent your views in the UK's Parliament.

MPs can promote the interests of the people they represent by attending debates and meetings on pressing issues. They can also propose new laws, or ask government ministers to respond to the issues that matter to them and their constituents.

MPs across the country and political spectrum have spoken up for a fairer and more effective asylum system, and many more could be persuaded to speak out. It is important that MPs know that the people they represent support a compassionate approach towards refugees, so they can feel more confident in publicly opposing laws and policies that harm people seeking asylum.

You can learn where your MP stands on key policy issues on [Hansard](#), or via [TheyWorkForYou](#) - a website designed to make MPs and elected representatives more accessible.

Getting in touch with MPs

MPs have one office in their constituency and one office in Westminster. You can find out who your MP is and what their contact details are on the [UK Parliament website](#) or by calling the House of Commons Enquiry Service on 0800 223 0855.

All about local government

Local democracy can look very different depending on where in the UK you are. In England, you may live within a parish, town, county or district council; combined or unitary authority; metropolitan district; or a London borough. Each of these 'local authorities' is led by democratically elected councillors who work towards ensuring that the vision and direction of the authority reflect the residents' needs and interests.

Local authorities have specific responsibilities towards people seeking asylum living in their area and have the power and resources needed to improve the quality of life of those in unstable housing. Across the country, local governments have taken steps to protect and respect the rights of people seeking asylum in their community - including through public statements and improved policy and practice.

You can get involved in the decision making process by addressing your local council or assembly meeting. You will usually need to apply to speak - details of how to do this can be found on your council's website.

Councillors can amplify local solidarity efforts, highlight the experiences of people seeking asylum, and champion council-wide ways of working that respect and uphold the rights of people seeking asylum.

Getting in touch with local decision makers

Contact details of your councillors can be found on your council's website. You can find your council and its' website at www.gov.uk/find-local-council.

Calling for change

Local people can support and encourage local decision makers to take specific steps on the road to a fairer asylum system.

We can raise our voices so that they know that the experiences of people in the asylum system matter; set up meetings with community leaders and those experiencing harm; request attendance at events; call for questions in the UK Parliament, debate contributions or written requests to UK Government ministers; and ask for public statements of support.

Consider teaming up with others with a wide range of experiences and viewpoints - especially those with lived experience of the asylum system who can describe the personal impact of the UK Government's policies and communications - to unify your campaigns.

Template letter to MPs

[Your address]

Dear [MP name],

My name is [your name] and I am a constituent living in [area] at [address].

I am writing to you because I would like to talk to you about how the asylum system is violating the human rights of people in our community.

In our local area, people seeking asylum face the following issues: [bullet points of 1 or 2 key issues you want to address. Include here any local impacts you have seen and the concerns you or your organisation work on. You can use information in the 'issues' section of our factsheets]. These represent serious violations of the human rights to [housing/food/education/health/social security].

A recent report by Just Fair and Human Rights Watch uncovered the realities of life in the asylum system and recommended how the system could be reformed. The UK could and should provide people seeking asylum with accommodation and other support that allows them to regain a sense of safety and stability, control over their own lives, and human dignity. Simple, effective reforms to the system - such as allowing people seeking asylum to work, shop for their own food, and cook their own meals - would save taxpayer money and are popular with the public and the business community.

As my representative, I'm writing to ask whether I could meet with you to discuss the asylum system and the role of decision-makers like you in reforming it.

Thank you for your time. I look forward to hearing from you.

Yours sincerely,

[Your name]

[Your contact details such as email address and/or phone number]

Setting the scene:

The crisis in asylum accommodation

People seeking asylum who arrive in the UK and are not immediately able to provide for their own fundamental needs are provided with basic living expenses and housing.

Financial support is set at a bare minimum: from July 2023, this was set at [£47.39 per person per week, or £9.58 per person per week if living in catered accommodation](#). This level of support leaves thousands of people seeking asylum without enough money to meet their [essential needs](#).

People who have claimed asylum are initially placed in temporary housing such as a hostel or a hotel. Following this they should receive longer-term accommodation (such as a flat or a shared house).

The UK Government's under-resourcing of the asylum system has led to a severe backlog in claims, with [over 170,000 people waiting on an initial decision on their asylum claims](#) as of March 2023.

Due to a combination of the backlog and the shortage of suitable housing in the UK, people are spending longer than intended in this initial temporary housing, and the need for places regularly exceeds capacity. As of September 2023, the Home Office spends [an estimated £8 million per day to house people in hotels](#).

Reports by groups including [Just Fair and Human Rights Watch](#) have found that the hotels used as initial accommodation are wholly unsuitable, especially for families and children, constituting violations of the rights

to housing, food, education, health, and social security.

In addition to single adults and families, the Home Office also [houses unaccompanied children in hotels](#), outside of the care system. 192 children were living in hotels as of [June 2023](#), 53 of whom were under the age of 16. This practice was [found to be unlawful by the High Court](#) in July 2023, but lone children seeking asylum have continued to be placed in hotels, despite the risks. Over 400 unaccompanied children have gone missing from these hotels over the past two years, with [154 yet to be found](#).

Barges, bases, and prisons

Instead of taking steps to reduce the use of hotels by ensuring that people can be moved into appropriate longer-term accommodation, the UK Government is going ahead with plans to expand its network of temporary asylum accommodation to also use barges, ferries, disused military bases, and former prisons to house people seeking asylum.

This is no solution: barges and military bases have the same, if not worse, deficiencies as repurposed hotels, afford even less privacy, may be located far from population centres and essential services, and lead to well-documented mental health harms.

The UK Government has claimed that this plan will save money. On the contrary, the available evidence suggests that using barges and barracks will [yield negligible \(if any\) savings](#).

Fact sheet 1:

The right to housing

The right to housing is guaranteed by article 11 of [ICESCR](#). A [number of factors](#) must be met before housing can be considered 'adequate' including security of tenure, availability of services, materials, facilities, and infrastructure, affordability, habitability, accessibility, location, and cultural adequacy.

Background

In signing and ratifying ICESCR, the UK Government is obliged to ensure the right to housing for all. This goes further than the provision of a simple shelter - housing must be adequate - meaning we all have the right to live somewhere in security, peace, and dignity. This right applies to all, no matter our status.

The UK Government and local authorities are failing to realise the right to housing for people seeking asylum.

The current emergency in the asylum accommodation system is a manifestation of the wider housing crisis, which is causing millions of people across the UK to experience significant and persistent violations of their right to housing.

The issues

While the phrase 'living in a hotel' may conjure up images of luxury, the hotels used as initial accommodation are often inadequate, unhealthy and unsafe. Our [report](#) details how many of the hotels used fail to qualify as 'adequate housing', as described in international law.

Overcrowding and a lack of privacy

Accommodation that lacks adequate space, security, and/or privacy is not considered [adequate under international law](#).

Living in small rooms makes life very difficult, with adverse consequences on mental health and family relationships. Overcrowding is a significant issue in asylum accommodation. One family interviewed for our report shared a single room for over six months. Others reported seven people sharing a single room, and rooms so small there was no space for any furniture other than beds.

Damp and mould

Damp and mould can be dangerous to everyone, but children are particularly at risk, suffering allergic reactions and respiratory symptoms including asthma, chronic coughs, and wheezing.

In our reporting, we visited damp rooms with black mould growing around windows and up walls. Overcrowding and a lack of ventilation can worsen these conditions, putting people at further risk.

Infestations

Housing must protect its inhabitants from 'disease vectors', including infestations of rodents and other pests.

People seeking asylum have reported that mice, rats, bedbugs, and cockroaches are often present in asylum accommodation. This has serious implications on hygiene and can lead to both health issues and significant distress.

Claiming the right to housing

The problems evidenced above show that accommodation provided for people seeking asylum is often unfit for purpose under international law and the Home Office's own published standards. The UK Government has announced plans to end the use of hotels as asylum accommodation, but current proposals to use camps, barges, and military bases go in the wrong direction and will lead to further violations of the right to housing across our communities.

It is time for change. We need a fairer system that guarantees our right to housing - no matter who we are.

Messages to use in campaigning

The [right to housing](#) must be guaranteed in our law, policy and practice across the UK. If this was the case, then we could call for accountability if and when the UK Government or public authorities neglect their responsibilities towards our communities, or fail to take concrete measures towards realising the right to housing for all.

The asylum system could and should help people regain a sense of safety and stability, exercise control over their destinies, and live in dignity.

This could be achieved by allowing those

seeking asylum to find their own accommodation in their preferred place if they wish to do so.

The culture of welcome and hospitality seen in the City of Sanctuary scheme should be nurtured, and models of community accommodation, integrated housing and resettlement programmes that ensure access to necessary local services should be developed.

Until this alternative is realised, the following concrete steps should be taken to ensure the asylum system respects human rights:

- Plans to place people seeking asylum on barges and in other large-scale institutionalised settings should be abandoned.
- The placement of families with children in hotels should be avoided, and when necessary, only for the Home Office's own 19-day limit.
- Unaccompanied children should be placed in the care of child protection authorities.
- Plans to exempt asylum seeker accommodation from important HMO (Houses in Multiple Occupation) licensing requirements - with mandatory minimum standards of suitability and safety - should be scrapped.

“Sleeping on the floor is not very comfortable, but what else can I do?”

15-year-old Jasper and his mother arrived in the UK in March 2022.

They were sent to a repurposed hotel in Hounslow, west London. The room they were initially placed in was so filthy they agreed to move to a different one, even though it only had one bed.

Jasper gives his mother the bed. He sleeps on the floor on a blanket, where he sees mice running around as he is getting ready for bed.



Fact sheet 2:

The right to food

The right to food is guaranteed by article 11 of [ICESCR](#). A [number of factors](#) must be met for the right to be realised, including that the food must be available, accessible and adequate (including satisfying dietary needs).

Background

In signing and ratifying ICESCR, the UK Government is obliged to ensure [the right to food](#) for all.

Even in times of crisis, the UK Government has a duty to ensure that everyone can access food of a quantity and quality sufficient to satisfy dietary needs, at a price they can afford, free from adverse substances, and acceptable within a given culture.

The UK Government is failing to realise the right to food for those seeking asylum.

The UK's food poverty rate is among the highest in Europe, and millions of people are struggling to get enough to eat.

The issues

Hotels providing accommodation to people seeking asylum are contracted to provide three main meals a day, as well as foods that are appropriate for babies and small children that enable them to be fed whenever necessary, along with options for “special dietary, cultural or religious requirements.”

However, in our reporting, interviewees consistently raised issues with food, suggesting that their rights are not being met in these settings. Violations of the right to food can lead to violations of the right to health - both mental and physical.

Lack of independence

In cramped conditions without access to cooking facilities, people living in the hotels are generally unable to cook meals for their families, store ingredients, or benefit from bulk-buying discounts.

Insufficient and unhealthy food

[Our report](#) documents that the food provided in hotels varies in quality and portion sizes are often insufficient, with a lack of appropriate options for children.

Multiple parents and children told us that the food they have been provided in the hotels lacks essential nutrients, leading to malnourishment and other adverse health impacts.

The accounts echo the findings of a 2022 report on hotels used to house unaccompanied children by [the Independent Chief Inspector of Borders and Immigration](#), which notes complaints by staff and young people, “about the quality, quantity and variety of the food in the hotels” and the lack of suitable foods for those with specific dietary requirements.

Inappropriate food for infants

Interviewees reported a lack of baby food, formula and milk in the hotels. Additionally, as menus are given regardless of age, children living in the hotels can receive food that is difficult to eat - making weaning particularly hard.

Claiming the right to food

The problems evidenced above show that food provided for people seeking asylum is often inadequate under international law and [statutory and mandatory guidance](#).

Currently, if those living in catered hotels wish to access alternative food, they must find space in their £9.50 a week budget to pay for it, alongside their travel, toiletries, medication, clothing, mobile phone credit and any other costs.

The UK has one of the largest economies in the world. [But nearly 8.4 million adults and children living in the UK struggle to access the food they need](#). People going hungry and children losing weight are indications that the system is failing.

It is time for change. We need a fairer system to ensure that our right to food is fulfilled. No matter who we are.

Messages to use in campaigning

The right to food must be guaranteed in our law, policy and practice across the UK.

We need to shift the conversation away from food poverty being a case of individual

responsibility, to being a failure on behalf of the UK Government to uphold our rights.

A guaranteed right to food would improve accountability of central and local governments, and access to justice for people who are facing hunger or malnutrition, including people seeking asylum.

People seeking asylum should be able to access the foods they need to live a dignified, healthy life. The following steps should be taken to ensure that people seeking asylum can claim their right to food:

- Access to cooking, refrigeration and food storage facilities should be provided to those seeking asylum.
- Restrictions on how allowances can be spent (via the [ASPEN card](#)), and the [surveillance of this spending](#), should be lifted.
- Where allowances are provided, they should be at a level that ensures an adequate standard of living.
- Where the UK Government or its contractors provide food, it should be sufficient, culturally appropriate and nutritious.

“My doctor wrote to say that I should not be eating the food they served”

Amina and her husband arrived in the UK in August 2022.

They were placed in a hotel in Wakefield, where Amina became sick from the food. She tried asking for different options, but the hotel did not listen to her, or her doctor.

As a last resort, Amina’s doctor gave her a list of recommended foods to buy herself. On the lower level of allowances, Amina does not have enough money to buy the food her doctor suggests.



Fact sheet 3:

The right to education

The right to education is guaranteed by articles 13 and 14 of [ICESCR](#). Access to education is compulsory under domestic law in the UK for children from ages 5 to 16.

Background

In signing and ratifying ICESCR, the UK Government is obliged to ensure the right to education.

The duty to fulfil the right to education falls on both the UK Government and local authorities, who must ensure that children have accessible and affordable education in a location that is reasonably convenient.

Despite these legal obligations, children seeking asylum experience repeated and significant delays when they try to access education. This is of particular concern to many parents, as accessing education has positive impacts on attainment and outcomes and allows children to develop a sense of routine and interact with their peers – of particular importance when preparing for a future in a new country.

The issues

Interruptions

Children in hotel accommodation often arrive in their accommodation partway through the school year and local schools may not allow them to enrol immediately. In some cases, schools require prospective students to wait until the following year before they can attend classes. Children's education can be further interrupted when the Home Office transfers them from one hotel to another or when assigning them dispersal accommodation.

Lack of facilities

Hotels are rarely suitable environments for study, especially when rooms are

overcrowded. The lack of space makes it difficult for children to concentrate or find a quiet environment for their homework, - especially when rooms are shared with several other children.

Without a desk or reliable access to the internet, children interviewed described having to do homework on the floor, in common areas such as receptions, as well as having to wake up early to access the Wi-Fi.

Lack of accessible school places

Whilst some local authorities coordinate with housing providers to register children as quickly as possible, in other areas, charities and support groups have had to step in to ensure children's rights to education are respected.

And though some families receive support to apply for schools, others describe having to locate schools on their own and apply for multiple options until they find a place, a daunting process made more difficult by unfamiliarity with the area, the specificities of the UK's education system and a lack of digital or language skills. The difficulties of finding a school place can be compounded for disabled children.

Economic barriers

There are further economic barriers to accessing education, including uniform costs. One interviewee, Blanca R., showed us a list of required uniform and supplies for one of her children's schools, the cost of which exceeded three weeks of the family's budget.

Claiming the right to education

The problems evidenced above show that the right to education for children and young people seeking asylum in the UK is often breached.

In an under-resourced education system, the support available is a lottery. Some local groups provide children's bicycles to families seeking asylum to allow them to get to school and other activities. Other charities and community centres provide resources and support for those looking to enrol their children in school – including guidance on advocating for the rights of children with special educational needs. While welcome, these charitable activities do not replace the crucial role of local authorities in ensuring that all children are able to attend school. It should not be necessary for charities to try to mitigate the failure of the UK Government and local authorities to fulfil the right to education.

It is time for change. We need a fairer system to ensure that the right to education is fulfilled for all children and young people. If the asylum system was redesigned and refocused with inclusion at the centre, barriers to education could be removed.

Messages to use in campaigning

The right to education must be guaranteed in our law, policy and practice across the UK.

The Home Office and housing providers should work with local authorities as early as possible, ideally starting before families are transferred to initial or dispersal accommodation, to begin the process of identifying school placements for children when they are placed in a new area.

The Home Office should also avoid moving families in the middle of term time unless the parents and children agree that the move will improve the family's circumstances and otherwise be in the children's best interests.

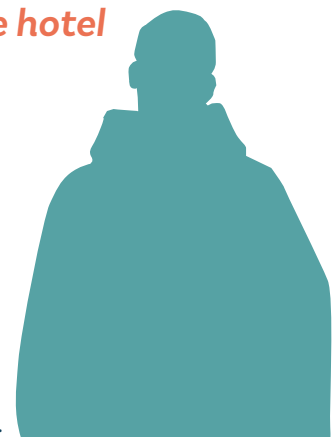
Local authorities can also play a crucial role in mitigating the harms of delays in education and should be encouraged to learn from local outreach initiatives that have shown promise, such as Newham Council's task force.

In October 2022 Newham Council set up a task force to meet the acute needs of families living in hotels in their area of east London. The task force (made up of representatives from various council departments, local charities, support groups and children's centres) meets weekly to work on improving access to food, clothing, health and education for families with young children. The local authority has specific staff who physically visit the hotels on a weekly basis to check in with people's needs and assess if support is needed in areas such as school registration.

“Sometimes I go to the college down the road from the hotel and watch the students when they come out. I see some of them are Afghans and they look happy. My only hope and dream is to go back to school.”

17-year-old Musa arrived in the UK alone in March 2022. He lives in a hotel in Bournemouth.

Being out of school is a constant source of stress for Musa. He finds the lack of support for children seeking asylum frustrating.



Fact sheet 4:

The right to work

The right to work is guaranteed by articles 6, 7 and 8 of [ICESCR](#). People have the right to just and favourable conditions at work meaning fair wages, safe & healthy conditions, and rest & leisure time.

Background

In signing and ratifying ICESCR, the UK Government is obliged to ensure the right to work and to just and favourable conditions of work.

Currently, people seeking asylum in the UK can only apply for permission to work after they have waited for a decision on their claim for over a year (if the delay is not caused by the applicant themselves). Until 2002, people seeking asylum could apply for permission to work after six months.

If permission is granted (which is far from guaranteed), employment is restricted to a list of niche jobs on the UK Government's Shortage Occupation List, leaving most occupations banned - including self-employment.

Hung M., who was living with his family in a hotel in Streatham, south London, was a civil engineer in Vietnam, with specific expertise in sustainable buildings. He would like to contribute his expertise to similar projects in the UK, but is barred from doing so under the current rules and restrictions.

The issues

Impact on children

Because of the failure of the UK Government to guarantee an adequate standard of living through the social security system (see Factsheet 5), the ability of adults to work and earn a living is vital for many families, particularly those with children.

While [working in the UK does not guarantee an adequate standard of living](#), the increased costs associated with having children—including their food, clothing and education—means that many parents who are seeking asylum are desperate to exercise their right to work.

Lives of dignity

The majority of people that we spoke with expressed a strong desire to be able to work. Often the journey from a person's home country to the UK can take significant amounts of time and people are keen to begin rebuilding their lives once they have reached safety.

For many, working is essential for integration into new communities and to enable families to provide for themselves and live a life of dignity. Most people interviewed also specifically mentioned the importance they placed on providing for their children.

Yezda, who arrived with her 14-year-old son in August 2021, said that if she was able to, she would study to become a nurse. She explained, "I want to be able to give back and to help others like I have been helped."

Claiming the right to work

The previous page illustrates how thoroughly the right to work is breached for those seeking asylum in the UK.

Over the past 20 years, the right to work for people seeking asylum has been increasingly restricted.

Until 2002, people seeking asylum could apply for authorisation to work if they had been waiting for over six months for a decision on their claim. In July 2002, this provision was withdrawn and in February 2005 the UK Government introduced a new immigration rule increasing the waiting period to 12 months. In 2010, a further restriction was put in place with the introduction of the UK Government's Shortage Occupation List.

The realisation of the right to work in the UK is also limited by improper application of laws and a lack of protections and enforcement bodies, [adding up to a failure by the UK Government to adequately protect human rights at work](#).

It is time for change. We need a fairer system to ensure that the right to work is available for everyone in the UK. No matter who we are.

Messages to use in campaigning

The right to work (including just and favourable conditions of work) must be guaranteed in our law, policy and practice across the UK.

“I want to pay my own way and earn a living for myself and my family.”

Miguel arrived with his wife and three children from El Salvador in September 2021.

He wants to provide for himself and his family and believes even a temporary work permit would help.

Human Rights Watch and Just Fair are members of the [Lift the Ban Coalition](#), calling on the UK Government to end the violation of people's right to work and allow people seeking asylum to enter employment.

The coalition reports that in March 2022, YouGov polling found that 81 per cent of the public support the right to work for people seeking asylum in the UK.

Lifting the ban on work would save the UK Government money, is popular with businesses and the public, and [would help to realise the rights of people seeking asylum](#).

The Lift the Ban coalition has calculated that this change in policy would result in an economic gain of £97.8 million per year for the UK Government, because of additional tax revenues, consumer spending, and a reduction in asylum support requirements.

The UK Government must lift the ban on work by people seeking asylum and instead allow them to seek employment as soon as they enter the asylum system. As an initial step, it should remove restrictions in the UK Government's Shortage Occupations List so that people seeking asylum can take up employment in any role offered to them after the initial waiting period.



Fact sheet 5:

The right to social security

The right to social security is guaranteed by article 9 of [ICESCR](#). This means that governments must make sure there is a social security system that provides money or other support to help people who become sick, are disabled, or fall on hard times.

Background

In signing and ratifying ICESCR, the UK Government is obliged to ensure the right to social security for everyone in the UK.

The benefits provided must be adequate in amount and duration so that everyone may realise an adequate standard of living and a dignified life: essential health care, housing, water and sanitation, food and education. States must have discretionary or emergency payments available, as allowing someone to fall into destitution can amount to inhuman or degrading treatment.

People seeking asylum who can prove they are destitute, with no other means of supporting themselves whilst their claim is processed, can apply for support with accommodation and/or basic living costs.

The issues

Falling levels of support

When asylum allowances were introduced, the rates were set in relation to mainstream benefits and broadly responded to fluctuations in the cost of living.

But in 2008, asylum support rates were reformed to increase based on inflation, enabling successive governments to keep asylum support out of step with increases in the actual cost of living. In fact, [Refugee Action has found](#) that the real value of asylum

support fell by 27 per cent between 2008 and 2022.

David, an unaccompanied boy from Sudan living in Swiss Cottage, in north London, said that he and other young people in the hotels wanted to learn English but they did not have enough money for the bus to get to a language centre. “We would end up walking for hours, trying to find a language centre that had space to let us take classes.”

The flat rate of asylum support provided by the UK Government to each person is currently equivalent to £6.77 per day. For people living in catered accommodation, such as hotels, support is set at around £1.36 per day.

Essentials unaffordable

Nearly everybody interviewed for the [report](#) said that asylum support was inadequate to cover the basics, particularly the cost of essential travel and clothing. Adequate clothing is a key component of the right to an adequate standard of living.

Leila, who lived in a hotel in Hounslow, in west London, with her 15-year-old son said that with just a little more money, “I would buy good shoes for my son. His feet are growing all the time and his shoes don’t fit.”

Claiming the right to social security

The problems evidenced above show that the right to social security for people seeking asylum in the UK is often breached.

People living in hotel accommodation often need to rely on charitable donations. Efforts by charities to meet people's basic needs are laudable, but the UK Government and local authorities should not rely on volunteers to meet their obligations.

The rates of support that people seeking asylum receive are woefully inadequate and often leave families living below the poverty line. The situation has deteriorated since 2008, when the rates for asylum support were delinked from mainstream benefits.

It is time for change. We need a fairer system to ensure that the right to social security is realised for everyone in the UK. No matter who we are.

Messages to use in campaigning

The right to social security, which ensures people can realise an adequate standard of living and a dignified life, must be guaranteed in our law, policy and practice across the UK.

Universal Credit rates should be raised to take into account the cost of living, and asylum support payments should be pegged at 70

per cent (the previous Home Office formula) of the new rate.

This will help to ensure that people are able to afford all of the essentials needed for an adequate standard of living and a life of dignity.



“We spend £23 a week on buses to get to school. The money doesn't go very far after this.”

Khadija arrived in the UK in November 2021 with her husband and five children. The family shares two rooms in a hotel in Ilford.

As the hotel provides meals, the family receives the equivalent of £1.36 per person per day - less than the cost of a single bus journey in London. Most of the family's money goes to pay for travel, leaving little for other essentials.



Accessing further support

Just Fair is the only UK-wide civil society organisation focusing on everyday human rights – economic, social, and cultural rights – in the UK.

We can support you to use economic, social and cultural rights to tackle rights violations and achieve your own campaign goals – building your capacity and confidence to use these rights, through training, tools and skill sharing.

For more information on the work we do and how we can support you:

- [Visit our website.](#)
- [Sign up to our newsletter.](#)
- Check out our [events and training](#).
- Follow us on [social media](#).

Other resources

- [“I Felt So Stuck” Inadequate Housing and Social Support for Families Seeking Asylum in the United Kingdom](#)
- [The International Covenant on Economic, Social and Cultural Rights in plain English](#)
- [Human rights checklist](#)
- [Setting the scene - economic, social, and cultural rights in the UK: A companion guide](#)
- [Just Fair’s Submission to UN Committee on Economic, Social & Cultural Rights 2023](#)
- Check the [Resources](#) page on our website regularly for all the latest tools to protect human rights in the UK.

Get in touch

If you have attended a training session and are interested in more targeted support from Just Fair, or you have feedback about this resource, send an email to our Human Rights Officer, Laura Grace – laura.grace@justfair.org.uk. We would love to hear from you.



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