

LIFT THE BAN – SECURING THE RIGHT TO WORK FOR PEOPLE SEEKING ASYLUM

BRIEFING NOTE FOR MPS

Key Messages

- People seeking asylum in the UK are **effectively banned from working**, which means they are forced onto asylum support whilst they wait for a decision on their asylum claim.
- This forced inactivity is **at odds with Government policy** aimed at moving people away from welfare dependency and into work, increases the **difficulty of integration** for those who are eventually permitted to stay, and places an entirely **unnecessary cost** on the public purse.
- The **Lift the Ban** coalition is calling for **the right to work for people seeking asylum**, and their adult dependants, unconstrained by the shortage occupation list, after six months of having lodged an asylum claim or further submission.
- A reform of the current policy would **benefit around 10,000 people** and their adult dependants whose cases have been pending for more than six months and offer them the **opportunity to provide for themselves and their families**.
- We're asking MPs to **support lifting the ban** on the right to work for people seeking asylum, by **raising the profile of the issue in Parliament and voting in favour of reform** if and when the opportunity arises, such as during the upcoming Immigration Bill.

What's the current situation?

- **People seeking asylum in the UK are effectively prohibited from working.** They can only apply to UK Visas and Immigration (UKVI) for permission to work if they have been waiting for a decision for over 12 months and only for jobs that are on the Government's Shortage Occupation List¹ – an incredibly restrictive list that includes jobs such as classical ballet dancer and nuclear medicine practitioner.
- **The changes that we are seeking would represent a return to how the UK approached this issue under previous Conservative and Labour governments.** Prior to 2002 people seeking asylum could work if they had been waiting for more than six months for a decision. A system by which people could apply for permission after 12 months was introduced in 2005 in order to comply with the 2003 EU Directive on Reception Conditions. The Shortage Occupation List was introduced in 2010 and further limited work prospects.
- **We believe that the right to work should be granted to people seeking asylum, and their adult dependants, unconstrained by the shortage occupation list after six months of having lodged an asylum claim or further submission.**

What are the arguments for reform?

- **It provides a route out of poverty.** People seeking asylum are given just £5.39 per day to meet all their essential living costs, including food, clothing, toiletries and transport and often the cost of their asylum application. Forcing people to live in poverty for months, or even years at a time, while they seek safety from persecution is inhumane and has a detrimental impact on their physical and mental health. **Enabling people to work provides them with the human dignity of being able to provide for themselves and their families**, if they are able.
- **The current system is wasteful.** People seeking asylum who are able to work would not need to be supported for extended periods and **could contribute to the economy through increased tax revenues and consumer spending**. Moreover, considerable **savings could be made to the costs of keeping people on asylum support** if the ban was lifted.

- **It would help integration.** For those who are eventually given refugee status, avoiding an extended period outside of work is key to ensuring their long-term integration into UK society and encouraging them to be self-sufficient. The Home Office's own research into the factors that influence refugee integration concluded that "*disrupted employment histories [have] an adverse effect on future employment*".² **Early access to employment increases the chances of smooth economic and social integration by allowing refugees to improve their English, acquire new skills and make new friends and social contacts in the wider community.**
- **The public support this.** Time and again, **opinion polling shows that the public strongly support the right to work for people seeking asylum.** A recent study by British Future looking at public attitudes to refugee protection found that more than two-thirds of the public (68%) agreed that: "*When people come to Britain seeking protection, it is important that they integrate, learning English and getting to know people. It would be helpful if asylum-seekers were allowed to work if their claim takes more than six months to process.*"
- **It would bring the UK into line with the rest of Europe.** The restrictive approach that the UK takes on right to work makes it an outlier within Europe. **In almost all other European states people are given an opportunity to support themselves at an earlier stage and with fewer restrictions.**

Why has the Government opposed reform?

- The primary Government objection has been the fear of creating a 'pull factor' for people seeking asylum – the idea that a less restrictive system would attract people who otherwise might not have done so to claim asylum in the UK. However, **all the available evidence suggests that permission to work does not act as a pull factor.** A recent review of 29 academic papers found that there was no correlation between right to work and where people seeking asylum chose to seek protection. Instead, research shows that people are more likely to flee to countries where they have family or friends, speak the same language and believe the country respects human rights.³
- A related second objection is that reducing the restrictions on working would lead to a greater number of unfounded claims from would-be economic migrants. However, **those looking for easy access to the labour market in the UK are unlikely to make an asylum application and bring themselves to the attention of the authorities** on the basis that they might be able to apply for permission to work after six months. **Even if this were the case, they would never have an opportunity to do so as the Home Office aims to decide all straightforward claims within six months.** Anyone making an unfounded claim for asylum would have this dealt with quickly and cannot manufacture delays by not engaging with the process, as these people can be refused for non-compliance.

Lift the Ban is a growing coalition of over 40 refugee organisations, trade unions, faith groups, businesses and others who are campaigning to win the right to work for people seeking asylum. Visit our website www.lifttheban.co.uk or get in touch with us on lifttheban@asylummatters.org to learn more about the coalition.



¹ Immigration Rules Appendix K: Shortage Occupation List
² Cebulla et al, *Spotlight on Refugee Integration*, Home Office (2010)
³ James & Mayblin *Policy Briefing: 03/16.1 Labour market access for asylum seekers* University of Sheffield (2016)