



## When You Know: Childbirth in the Asylum System

### Worksheet/handout

This worksheet is designed to accompany screenings of *When You Know: Childbirth in the Asylum System*. It provides background about the process of seeking asylum in the UK, including terms you may encounter in the film that are unfamiliar. The film explores themes of displacement, isolation, fear, health inequalities and the maternal health consequences of common structural barriers encountered by people giving birth in the asylum system. You may find some scenes upsetting. Please take 5-10 minutes at the end of the screening to reflect on what you have seen using the section at the end of this handout.

### Seeking Asylum in the UK

In 1951, following the horrors of World War 2, the UK and other allies signed the Refugee Convention<sup>i</sup>, committing to providing protection (including subsistence) to those who need it. This commitment is enshrined in UK law.

The 1951 Refugee Convention defines a **refugee** as a person who *'owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country'*

In order to gain refugee status, many people will need to cross borders into a country of safety and make a claim for asylum. Some will do so immediately on entering the UK while others may not. Reasons for delaying an asylum include not being aware this is an option, changes in circumstances or arriving on a different visa. An **asylum seeker** is someone who has lodged an application for protection on the basis of the 1951 Refugee Convention or Article 3 of the European Convention of Human Rights (the right to not be subjected to torture or to inhuman or degrading treatment or punishment). An asylum seeker becomes a refugee when their claim for asylum is accepted and they are granted refugee status.



## Asylum Statistics

Compared with other EU countries, the UK ranks 5<sup>th</sup> for number of asylum claims received in 2023 (after Germany, France, Spain and Italy) and 20<sup>th</sup> if adjusted for population size.

### Nationality of people seeking asylum in the UK: the top 15 most common in 2023

Country	Asylum seekers in 2023	% of people seeking asylum in 2023	Initial decision grant rate in 2023	% of 2019-21 applicants ultimately granted asylum or other leave	Trend, 2001-2023
Afghanistan	9,307	11%	99%	79%	
Iran	7,397	9%	86%	77%	
Pakistan	5,273	6%	55%	53%	
India	5,253	6%	9%	6%	
Bangladesh	4,258	5%	29%	34%	
Turkey	4,255	5%	88%	83%	
Iraq	3,985	5%	42%	49%	
Eritrea	3,870	5%	99%	91%	
Albania	3,898	5%	13%	32%	
Syria	3,772	4%	99%	91%	
Sudan	3,453	4%	98%	77%	
Vietnam	2,304	3%	54%	78%	
Brazil	1,857	2%	7%	11%	
China	1,378	2%	18%	24%	

Source: Migration Observatory analysis of Home Office Immigration Statistics, Table Asy\_D01 (December 2023); Table Asy\_D02 (December 2023); and Table Asy\_D04 (December 2023)

Note: 'Asylum seekers' comprises main applicants and dependants. 'Initial decision grant rate' is for main applicants only. 'Share ultimately granted asylum or other leave' is the share of applications (main applicants) received in 2019 to 2021 inclusive that had resulted in a grant of asylum or other leave as of December 2023, taking into account appeals to the First-tier Tribunal but not higher courts, and excluding applications that were withdrawn or are pending.



Further statistics available at:

[Asylum and refugee resettlement in the UK - Migration Observatory - The Migration Observatory](#)

## The Asylum Process

1. Making a claim- an individual presents themselves to the authorities (Police, Border Force) and states they want to make a claim for asylum. They will then be referred to the Home Office to enter into the asylum process.
2. Screening Interview- basic details are taken including an assessment of claimants ability to support themselves or their families. Those who are not deemed to have an admissible reason at this stage may be detained and returned. Those who are deemed to be destitute are provided basic board and subsistence under Asylum Support<sup>ii</sup>
3. Substantive Interview- Assessment of case for asylum is made in interview with Home Office caseworker
4. Asylum decision- if decision is positive the claimant may be given full refugee status, temporary humanitarian protection or another type of leave to remain. If the claim for asylum is refused there may be grounds for appeal/judicial review, a fresh claim based on new evidence or support to return.

While the whole process is intended to take only six months, due to a historic backlog, many claimants are waiting two years or more to have their Substantive Interview. Cases that go to appeal can take much longer.



## Asylum Support

People claiming asylum in the UK are not usually entitled to work while their claim is being considered. Those who have been waiting 12 months or more for a decision may apply for a limited range of jobs on the Shortage Occupation List. Everyone else will receive one of two types of support;

Section 98 (Temporary support)- this is for those who are destitute and have applied for Section 95 support. Housing with full board is provided, usually in a Home Office run hostel or hotel accommodation. An additional £8.86 a week is provided for toiletries and other basics.

Section 95 support- Self catered accommodation provided on a no choice basis along with subsistence of £49.18 a week (about 50% of mainstream benefits). A system of mandatory dispersal means people can be moved with a few hours notice to other areas of the country if cheaper or alternative housing becomes available. Those living with friends or family can apply for subsistence only support.

## Rights and Entitlements in Pregnancy

**Asylum seekers** are entitled to maternity care without charge (confirmed by HC2 certificate, BAIL 201 letter or ARC card). In addition to asylum support, pregnant asylum seekers are provided an extra £5.25 per week and may apply for a £300 Home Office grant for baby equipment (29/40 onwards or within 6 months following birth). An additional £9.50 per week is provided for the first year of the baby's life.

**Refused asylum seekers** are also entitled to maternity care without charge if receiving Section 4 (2) support<sup>iii</sup>. If claimants are refused without support they will not be liable to charges only if maternity care began before refusal.

## Glossary of terms used in film

**SERCO**- Private company contracted to provide asylum support services (other companies include Clearsprings (London, Wales), Mears (Scotland, Northern Ireland))

**HC2 Certificate**- Certificate (provided in a credit card size form) confirming entitlement to NHS treatment and free prescriptions, eye tests and dental treatment

## Reflective space following film

*Please take 5-10 minutes and use the prompts in the space below to reflect on your feelings and insights from the film.*

Please write a few sentences about your emotional response to the film- how did it make you feel?

What are the key challenges to people giving birth in the asylum system?

How as a midwife can you address some of these key challenges in your clinical practice?



### Further Resources

- Healthcare Needs and Pregnancy Dispersal Guidance (UK Borders Agency 2016) [here](#)
- Pregnancy and Complex Social Factors: A model for service provision for women with complex social factors (NICE, 2010) [here](#)
- Maternity Action – Information on charging, reports and training [Home - Maternity Action](#)
- Maternity Stream of Sanctuary- Resource pack, information on local and regional activities [Resources - Maternity Stream of Sanctuary \(cityofsanctuary.org\)](#)
- Right to Remain Immigration and Asylum toolkit [Right to Remain Toolkit – Right to Remain](#)
- UK Government- Asylum Support Information [Asylum support: Overview - GOV.UK \(www.gov.uk\)](#)
- Women for Refugee Women- Reports, campaigns, resources [Women for Refugee Women](#)
- Refugee Women Connect- [Videos/resources](#)

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<sup>i</sup> [The 1951 Refugee Convention | UNHCR UK](#)

<sup>ii</sup> [Asylum support: Overview - GOV.UK \(www.gov.uk\)](#)

<sup>iii</sup> [Section 4 support - Resource library - ASAP \(asaproject.org\)](#)