



EVALUATION OF THE REFUGEE AND MIGRANT ADVICE SERVICE'S ALTERNATIVE TO DETENTION PILOT

EXECUTIVE SUMMARY

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Conducted by: NatCen

UNHCR Evaluation Office

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Executive Summary

Background and methods

The UK maintains one of the largest immigration detention estates in comparison with EU countries and at the time of writing, government policy indicated an intention to expand the immigration estate. In 2019, the Home Office and UNHCR launched the Community Engagement Pilot (CEP) series to test approaches to supporting people to resolve their immigration case in the community.

UNHCR commissioned NatCen to undertake an independent evaluation of the Refugee and Migrant Advice Service (RMAS), run by King's Arms Project (KAP), the second pilot in the Community Engagement Pilot (CEP) series. This final evaluation report brings together findings from all elements of the evaluation to identify lessons learned from the RMAS pilot that can inform decision-making around further development and implementation of alternatives to detention in the UK and beyond. It should be read in conjunction with the evaluation report of the *Action Access* pilot, the first pilot in the CEP series. Our evaluation included desk research, interviews with pilot participants and interviews with delivery and strategic stakeholders and key informants from civil society. The main findings and recommendations are summarised below.

The pilot model

Eligibility and recruitment to RMAS differed from *Action Access*. *Action Access* provided an accommodation-based model whereas RMAS provided support within the community to up to 50 pilot participants at any one time. Pilot participants were provided with a legal advisor (three meetings) for support with immigration casework; more holistic support was offered by a KAP caseworker.

The pilot's main aim was to test different approaches to immigration management and to provide lessons for future policy and practice, such as how users' needs could be better met. KAP's tailored approach to support work, based on a comprehensive needs assessment, was a key factor in enabling the successful delivery of the pilot.

RMAS implemented the same three-meeting model of legal support as developed during the *Action Access* pilot.

Costs

The costs analysis include an exercise to compare the cost per night on the pilot with costs in detention for those with a similar demographic profile in terms of ethnicity and gender. Taking into account the average length of stay in detention and length of support on the pilot, the cost of detention for the same time period and for a similar demographic profile of participants would have been approximately two-thirds more expensive than the support offered on the pilot.

Legal counselling and other outcomes

The evaluation found the three-meeting legal model to work well. Six participants were given leave to remain whilst on the pilot. However, the complexity of immigration cases for many participants meant that achieving case resolution whilst on the pilot was not feasible or achievable. The pilot increased participants' understanding of their immigration cases and

their possible future options. The support offered on the pilot helped participants to gain increased knowledge of and confidence in accessing their entitlements. Participants were treated fairly and with dignity. Participants were supported to access support within their local community. The pilot was seen to have benefits in terms of self-esteem and wellbeing, above and beyond providing the opportunity for participants to engage with legal counselling to reach case resolution. This second pilot in the series built on the collaborative working relationship between the voluntary sector and the Home Office, established during the *Action Access* pilot.

Recommendations

For organisations designing and/or delivering pilots

Recommendation 1: To incorporate clear communication about potential options (and implication of each) at every stage of the support work process.

Recommendation 2: Expect that participants may take time to fully understand the independence of the support provider of Home Office processes and the limitations around what the support provider can achieve in terms of casework support.

Recommendation 3: Where possible, to agree with a solicitor as early as possible that legal support can continue after the three-meeting legal model. This may take time to negotiate depending on the participant's financial status and availability of legal aid.

Recommendation 4: Consider the tailoring of support via a tiered needs assessment and support planning process (such as that on offer by KAP). This will help ensure that all participants, irrespective of immigration case status, will be able to access appropriate support adapted as their circumstances change.

For consideration by the Home Office in increasing effectiveness and efficiency of any future ATD Programmes or roll out of aspects that are proven to be effective

Recommendation 5: Ensure that future ATD programmes are informed by the outcomes from earlier ATD programmes. Longer-term outcomes of participants in ATD programmes would be better captured through more longitudinal tracking of participants, including follow-up post programme exit. However, that kind of longer-term data capture should not delay the implementation of any other recommendations.

Recommendation 6: Delays in providing participant documentation would be alleviated through the digitalisation of immigration casework documentation.

Recommendation 7: Consider the wider use of partnership-working between the Home Office and civil society in supporting those with insecure immigration status. The input of caseworkers can act as a conduit between the Home Office, legal advisors and participants by bringing a degree of independence from government and helping to demystify the legal process for participants.

Recommendation 8: Consider the expansion of future eligibility to include participants with dependent children and flexibility around the requirement for stable accommodation arrangements. This would be in recognition of the possibility of existing living arrangements changing when people are reliant on the support of family/friends for significant periods of time.

Recommendation 9: Consider the potential impact of Home Office involvement in recruitment for future ATDs and where possible (for example when not affected by COVID-19) to outsource recruitment as much as possible to the independent support provider.

Recommendation 10: Consider implementing the three-meeting model of legal counselling for others with unresolved immigration cases as early as possible in their journey through the immigration case management process to avoid the need for more complex legal counselling at a later stage.

The Home Office and King's Arms Project have both provided management responses to the findings of this report, specifically addressing these recommendations. We welcome these management responses, which are included below as an appendix to the report.