

# Independent Commission of Inquiry into Asylum Provision in Scotland

with particular reference to failings in the provision  
of care to New Scots during the Covid pandemic

Part Two November 2022

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**Chair:**

Baroness Helena Kennedy KC

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# Foreword from Baroness Helena Kennedy KC

It is four months since this Inquiry published its first report. In the intervening time my Panel and I have had our eyes opened to an appalling situation that at times challenges credulity. We began the second phase of our Inquiry knowing that tragic events, including two deaths and multiple stabbings, had occurred when 321 people seeking asylum were moved from safe, secure apartments to hotels at the beginning of the Covid pandemic. Knowing too, that the asylum system, even by the admission of the then Minister for Safe and Legal Migration, Kevin Foster, was ‘broken.’

What we were less prepared for were the eye-watering costs – human and financial – of the wider system that underpins support for people seeking asylum in the UK. Nor were we prepared for the levels of incompetence, confusion and chaos, sometimes to the point of being manifest as cruelty, in that system.

Perhaps what we were also less prepared for were the stories of kindness, care and compassion experienced by people seeking asylum in Glasgow and beyond. Care from neighbours, people in the street, civil society and activists; as well as kindness and compassion within the community itself. I even heard a story of a friendship that endures to this day between a taxi driver employed as part of the moves from homes to hotels and one of the people he was employed to move. I will never forget my meetings

with people from the hotels whose warmth and humanity towards each other, urging each other to stay mentally strong, to hold it together, stood in such sharp contrast to the inhumanity to which we bore witness from the Home Office and its contractors.

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My Panel and I heard evidence from the people seeking asylum with direct experience of hotel accommodation, from small grassroots organisations and large NGOs. It is impossible to capture in this report the breadth and depth of the evidence that emerged. The breadth and depth of the Panel’s discussions is mirrored in the breadth and depth of change that is clearly required – in both the process of making asylum decisions (‘asylum determination’) and in how people seeking asylum are supported pending these Home Office decisions (‘asylum support’). Wherever possible, evidence provided to the Inquiry has been captured and will remain available on the Inquiry’s website for policy makers and practitioners in the months and years ahead.

I want to be very clear. To seek asylum is a human right and it is a legal entitlement. It is one we all share. The UK is a signatory to the 1951 Refugee Convention and the associated responsibilities sit firmly with the UK Government, with the Home Office. It is easy to get distracted by discussion of whether elements of the Government’s contracts with third parties (in this case Mears Group plc and Migrant Help) are or are not being appropriately discharged. These are important questions but are outside the remit of this Inquiry. The real issue is that this Government is routinely failing in its obligations under international human rights law. It is also easy to be distracted by a discourse of ‘economic migrants,’ ‘breaking the evil smugglers’ business model’ or ‘protecting our borders.’ Hyperbole of this kind serves the UK Government by providing a smokescreen to its absolute failings in both policy and practice that have led to an almost unbelievable increase in the backlog of asylum claims waiting to be processed. The figures from Oxford University’s Migration Observatory are stark: just over 100,000 people claimed asylum in 2002, just over 55,000 did so in 2021; in 2010 just under 6,000 people were waiting for an initial decision. This number was nearly 100,000 in the second quarter of this year. This is not about the numbers of people coming to the UK. It is about a failed system.

The costs of these failings are incalculable. In 2019, the estimated value to contractors for the provision of asylum support in the UK was £4 billion for the forthcoming 10 year contract period. As recent press commentary has highlighted, the asylum support system is in a shambolic state. I consider it likely that this figure will prove to be a significant under-estimate; inordinate sums are being paid to hoteliers and private sector landlords to prop up the inadequacy of contractors’ accommodation estates. Costs also include those to local authorities (‘dispersal authorities’) who are provided with next to no financial

support from central Government to take care of people seeking asylum. Further, they include the loss to local economies, the public sector and businesses through the barring of people seeking asylum from the labour market. And the costs to the NHS in its attempts to try and provide support for mental health, trauma recovery and wellbeing for the community.

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What an utter waste of human potential and of resources. Particularly in a country that has an urgent growth agenda and massive skills shortages. The UK needs care workers, HGV drivers, butchers and other technically and professionally skilled workers. We need to honour our commitments to protect people and we need people who want to play a role in our economy and society. Canada’s recently announced 2023-25 Immigration Levels Plan embraces a strategy of immigration to manage future social and economic challenges. They are seeing immigration as an opportunity not a threat; in contrast the UK seems short-sighted on multiple fronts.

The people I have met through the course of this Inquiry – many of whom are still accommodated in hotels – seem resilient. They have resolved to come to this country, to leave everything – friends, family, professions – behind. To make it to the UK despite being beaten by smugglers, abused on the journey, often alone and sometimes without the language to communicate. That they have done so carrying the trauma of persecution, violence and threat makes what they have done even more remarkable.

But they are also vulnerable. And I believe it is the current systems of asylum determination and support that makes them so. At a multitude of levels, and in many different ways, it places people into marginalised social and economic situations, without adequate support, and leaves them there with ever-diminishing hope for the future. For those who have experienced trauma, this same system can compound the problem. We have heard almost countless stories of re-traumatisation and further trauma as a result of treatment in the UK. It is very clear to me that trauma-informed approaches should be the norm in how we treat asylum seekers. It is also very clear to me that the skills and expertise required to deliver this kind of practice are almost entirely absent from the messy network of contractors providing accommodation and support to asylum seekers. This is not the fault of front-line workers in those organisations, many of whom are doing their best in difficult circumstances. Even the best staff cannot do their best work in a broken system. It is the fault of a system built around a misunderstanding of this challenge. Receiving, recognising and supporting people seeking asylum is a human rights challenge, a public health, care and housing challenge first, an operational challenge second. The system cannot be built up from primary considerations of return on capital, risk management or commercial gains.

### Hotel tragedies

It was clear at the outset of this Inquiry that the reasons given as to why people were moved to hotels were confused. The evidence is contradictory, particularly in terms of if and how civil society, Glasgow City Council and other agencies were consulted before the decision was made. At best, the weight of evidence suggests that Mears' assurances that they had consulted widely before making the

moves were exaggerated. This Inquiry could not compel witnesses nor take sworn statements. I have no doubt that there should be a statutory inquiry – and as soon as possible – into this incident – and also that wider inquiries into decisions made during the pandemic should include specific reference to people seeking asylum and refugees. A statutory inquiry, with the powers to compel witnesses and create legally binding recommendations, would provide justice for those – asylum seekers, hotel staff, support workers and witnesses – who have been so deeply harmed by the tragedies in 2020.

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### A broken system: Time for a re-think

It is time for a re-think. There is no data to suggest that the numbers of people seeking asylum will reduce. If anything, numbers of climate refugees, refugees from war and persecution are likely to grow. This country needs immigration and, as recent surveys have shown, attitudes to immigration have become more positive over recent years and were exemplified by UK society's response to specific refugee programmes, for example, for Ukraine and Afghanistan. Data also shows the ineffectiveness of the asylum process. We have tens of thousands of people in hotels many of whom have been waiting for more than 6 months for the Home Office to

consider their claims for asylum. We know that people from so-called 'high recognition' countries, such as Afghanistan, Eritrea, Libya, Syria and Yemen, are highly likely to be accepted as refugees. But they are kept in indeterminate limbo before this is acknowledged by the Home Office. We heard repeatedly about the Home Office and its contractors operating with a 'culture of disbelief,' a presumption of an intent to 'cheat the system,' that I believe must stymie the efforts of conscientious junior officials in the Home Office and which creates enormous backlogs, ineffectiveness and, ultimately, financial and human cost. I cannot see a rationale or justification for an approach to asylum determination that takes years, costs the taxpayer extraordinary amounts and that prevents the individual from contributing to the economy and society (because of the bar on participation in the labour market and because hotels and other congregate living arrangement have been evidenced as poor bases for social integration).

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### This country needs immigration and, as recent surveys have shown, attitudes to immigration have become more positive over recent years and were exemplified by UK society's response to specific refugee programmes, for example, for Ukraine and Afghanistan.

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The bespoke schemes for Syria, Afghanistan and Ukraine have their merits. In their differences they create challenges, a sense of 'hierarchy of pain,' or hierarchy of risk, that is hard to justify. But they also provide a basis for learning about what works.

The proper funding of local authorities and the engendering of public support for the plights of specific communities are amongst the positives from these schemes. I do not consider it helpful to have several 'boutique' arrangements for migration. Rather, the overall system should be entirely overhauled based on the best of all these schemes.

Whatever scheme is used to consider asylum applications, the fragile ecosystem of support needs radical change. It is a system poorly co-ordinated, contractually committed to two parties in Scotland (Mears and Migrant Help), neither of whom appear to be working with the necessary core competencies, and then shored up by the voluntary engagement of other agencies – Local Authorities, third sector and grassroots organisations. This is neither a robust nor a resilient system – as the events described in the Inquiry's first report make clear.

I do not think it is appropriate – and in any event it is beyond the remit of this Inquiry – to suggest that the commercial sector has no place in delivering services on behalf of the Government. But the choice of provider needs to be more carefully considered. Mears Group plc is a housing firm. Its origin story is a man with a van, fixing up property. Housing is not care. It is an element of care. It simply is not good enough to rebrand housing officers as welfare officers and expect them to work skilfully with traumatised individuals. If corporations are going to provide these services, the provision needs to be professionalised. To be worthy of continuing to hold this contract, Mears, at a minimum, needs to be making material investment in the wellbeing of those in its accommodation. In the recommendations of this report, this point is discussed further. Where provision has been contracted to the charity sector, as is the case with Migrant Help, significant redesign is required for the organisation to deliver its obligations.

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## Placing responsibility for border control, asylum decision-making and provision of asylum support under the auspices of one and the same government department (the Home Office) is a flawed approach.

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So, in summary, the overall architecture of this system needs a re-think. Placing responsibility for border control, asylum decision-making and provision of asylum support under the auspices of one and the same government department (the Home Office) is a flawed approach. The resources, levels of expertise and ethical standards needed to manage all three systems are considerable. In Canada, all aspects of asylum decision-making are undertaken by a specialist Board that is independent from government. In the UK, the treatment of people seeking asylum appears to be subject to the whims of ever-changing and non-specialist ministers – I consider that an independent asylum decision-making system would be more effective. A new system of asylum support needs to place properly funded local authorities more central to decision making. It needs to embed from the outset trauma-informed approaches, and the delivery of the system needs to be with organisations that have the proven expertise to deliver. Whatever happens, the asylum support system must not be stuck in an impossible attempt to reconcile commercial imperatives with a very heavy duty of care. And it must not lazily rely on civil society to plug gaps. The scale of the challenge is far too great.

There is no doubt that there are other small measures, tactics, that can be undertaken to make marginal

improvements to the system. Some of these are outlined in this report. But the return on effort of fiddling with a broken system will be minimal. The Government has already acknowledged that the system is broken. It is not going to fix itself. Change has to start with the Home Office and a fundamental re-think.

The Home Office welcomed this Inquiry and subsequently efforts were made to engage both Mears and the Home Office in an exchange about the events that led up to this Inquiry and implementation of lessons learned since. We were informed that continuing litigations – by those individuals who were grievously harmed in these events – meant that answers to questions which would, I consider, have been relatively easy to resolve in good faith, were not possible. As a result, my Panel and I have had to draw inferences from Home Office and Mears' documents and oral evidence provided by other parties – to whom we are most indebted.

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## Whatever happens, the asylum support system must not be stuck in an impossible attempt to reconcile commercial imperatives with a very heavy duty of care. And it must not lazily rely on civil society to plug gaps.

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I would like to acknowledge that in this work my Panel and I have sought to centre the experiences and expertise of people seeking asylum. We started from the principle that those within the system will have some of the best ideas as to how to improve the system. I am deeply grateful for the work of my Panel

and to the courageous people living in hotels and in the most precarious circumstances for sharing their stories with me. I would also like to express my thanks to the civil society organisations – particularly those that are led by people seeking asylum and refugees, including Refugees for Justice who commissioned this Inquiry – for their insight and wisdom in supporting this process.

The community – rightly – wants justice. This Inquiry could not hold to account the Home Office, Mears Group plc, Migrant Help or any other agency. What it could do was listen, and give the dignity of being heard, to those who have been systemically ignored and marginalised. Listening is a form of justice but we must do better, to honour those who have been harmed, who have died, been traumatised and hurt. And because it is in all of our society's interests to make the processes of asylum work.

**Baroness Helena Kennedy KC**

## Section 1: Introduction

The Inquiry produced its initial, Phase One, [report](#) in June 2022. In this report the Inquiry summarised the body of evidence relating to asylum support provision in Scotland in the early months of the Covid pandemic. It focused on the moving from homes to hotels of over 300 people, and on two tragic incidents that followed; a suspected suicide and an incident in which a hotel resident stabbed six people before being fatally shot by the Police. The evidence covered included:

- Personal testimonies from hotel residents.
- Reports from grassroots organisations and NGOs who were providing services to people in hotels during the period.
- Parliamentary consideration of the issues, including from the Home Affairs Committee (July 2020) and parliamentary questions.
- Reports from the National Audit Office, UNHCR, academics and the media.
- The Home Office's own internal *Evaluation of accommodation and support services experienced by asylum seekers in Glasgow during COVID-19, Key Findings and Recommendations*, August 2020.

The Phase One report explains the principles of the Inquiry, including the aim to centre the experiences of those within the asylum system and the Inquiry's aim to listen and bear witness to the harms caused by the system. Information on the Chair and Panel can be found on the Inquiry's [website](#) [www.asyluminquiryscotland.com](http://www.asyluminquiryscotland.com). Submissions to this Inquiry will also be on the website by the end of November 2022 (where organisations or individuals have not requested anonymity).

**This report of Panel conclusions and recommendations should be read in conjunction with testimony from the Inquiry's Listening Day, facilitated by Pinar Aksu and Chris Tully. A copy of this report can be found on the Inquiry's website.**



## Section 2: Moves from homes to hotels

During Phase Two, the Inquiry's Panel sought to understand further the reasons for the moves from homes to hotels, the preparedness of the system to support this move and the impact of the moves on the people involved. Much of the evidence provided to this Inquiry confirms evidence outlined in the Inquiry's first report:

- The reason for the moves are still unclear. At best, they were well intended (for public health reasons<sup>1</sup> – or from 'unsuitable conditions'<sup>2</sup>) but poorly executed. There is contradictory evidence regarding whether any of the agencies involved in the fragile and poorly defined ecosystem of support to people in the asylum process were consulted prior to the moves. On balance, the evidence suggests not. It does not appear that public health professionals' advice was sought. At worst, the moves were executed without any regard to health and wellbeing of the people involved. One can speculate as to the motive. And one can note that the provider of accommodation

<sup>1</sup> See testimony of John Taylor COO Mears Group plc 43 Home Office preparedness for COVID-19 (Coronavirus): institutional accommodation 23 July 2020 pp23 and p30 Phase One Report [Here](#)

<sup>2</sup> House of Commons Hansard Covid-19 Asylum Seeker Services in Glasgow 29 June 2020 col 29 [Here](#)

is a publicly listed company, Mears Group plc, which reported adjusted profit before tax of £25.6m in 2021<sup>3</sup>. Mears notes in its Annual Report and Accounts 2021 the 'opportunity'<sup>4</sup> presented by 'homelessness still growing with councils looking for solutions which innovate and support' and 'a growth in the market for housing and support for vulnerable individuals.'

### At worst, the moves were executed without any regard to health and wellbeing of the people involved.

- There has been no evidence to suggest that adequate assessments of health and vulnerability, nor equality impact assessments, were conducted prior to the moves. The evidence reported people being given as little as 10 minutes' notice to vacate homes. We heard no evidence whatsoever of conversations between Home Office contractors and asylum seekers to ascertain whether moves were appropriate.

<sup>3</sup> [Mears Group plc Annual Report and Accounts 2021 pp 7](#)

<sup>4</sup> Inquiry's own emphasis

- There has been no evidence to contradict the statements of the poor conditions in which people found themselves in the hotels; issues with nutrition and dietary requirements, with access to health provision, support with translation, digital connection, access to basic essentials including sanitary products and medicines.

'We have been sent video of pieces of wire in food, as well as pictures of food served with visible mould. Multiple service users have reported losing significant amounts of weight and poor health possibly related to vitamin deficiency.'<sup>5</sup>

'Contractually, Mears should be providing toiletries and essential items. For ...menstrual hygiene items..., residents must request this from reception. Many have reported that they go without rather than request menstrual hygiene items from reception, which is often staffed by male security members during the night.'<sup>6</sup>

- Social distancing was difficult or impossible in the hotels. Although we understand that attempts were made to emphasise the need for social distancing with signage, people needed to congregate to access foods, use lifts etc. No evidence suggested evidence of routine Covid testing.

<sup>5</sup> Evidence provided by [Community Infosource, Asylum Seeker Housing \(ASH\) Project](#)

<sup>6</sup> Ibid

'My mum and myself were given an hour's notice. We were told it's not safe to stay in our house because of electrical issues. We were living a peaceful life, doing volunteering. We were well integrated, doing our best to have a productive life. I have now been diagnosed with PTSD [after witnessing the immediate aftermath of the Park Inn incident]. Two years' later, I'm still waiting for treatment. Before, if I needed support, I could go to organisations in our local area, or to our neighbours who would help us. I was volunteering in lots of local organisations...'<sup>7</sup>

### I will never forget that situation. The way they dragged me out. I was struggling to get my things together. We didn't know where we were going. There was no explanation.

'Before the move, everything for us was normal; our trauma was hidden. We could move on with life; other good things happen around you: soothing things. I can't explain the day I was moved. I was just in my towel. They banged the door. I had to open it. I will never forget that situation. The way they dragged me out. I was struggling to get my things together. We didn't know where we were going. There was no explanation. They make us paranoid. We were thinking, something big was going to happen. There was no plan, just a big rush. I could never sleep after that. After that, I was thinking what's coming next? Before that happened, we were in our own room, coping with our own mental health.'

<sup>7</sup> Evidence provided to the Inquiry's Listening Day



*My real trauma and stress just quadrupled when I was moved to the hotel. It was one of my worst memories I will remember all my life.*<sup>8</sup>

*‘We were moved so abruptly, everything was all over the place. I had previously been with a GP but it took three months to get a new GP after he move, so my prescription stopped. I had been taking heavy medication for my mental health. There was no induction. No information. Everybody was panicked. We were completely paralysed. We don’t know what’s going on. Nobody told you about your medication, your food, or that they stopped your cash support. Nobody knows what’s going on. For eight to nine months, there was nothing.’<sup>9</sup>*

Further evidence provided to this second phase of the Inquiry worsened the picture of low competence bordering on chaos during this period. This additional evidence revealed:

- Women who had been victims of male violence, trafficking and exploitation being placed in mixed hotels. Many women in this situation felt terrified and feared for their safety.

*‘We know of at least three instances where women whose asylum claims were either entirely based on or featured clear experiences of gender-based violence were accommodated in in mixed-gender hotels in Glasgow.’<sup>10</sup>*

- Lack of resourcing to the health services supporting people in hotels.

- People who have been traumatised by the Park Inn incident, including people who were staying and working in the hotel as well as witnesses to the events, appear to have been left to find their own solutions to recover their mental, physical and emotional health. Sometimes have been put on waiting lists of two years for support.

*‘We are thankful at least we are safe, but I really cannot tell which is it worst, dying once for all or dying everyday in this way of living.’<sup>11</sup>*

### **‘We are thankful at least we are safe, but I really cannot tell which is it worst, dying once for all or dying everyday in this way of living.’**

- A complete lack of clarity as to which agency was responsible for what and how the ‘system’ should have worked. Mears staff appeared to pass things to Migrant Help and vice versa and the Home Office was seen as ‘behind the scenes.’ Sometimes peoples’ first point of call seemed to be hotel workers, e.g. receptionists. It is clear talking to people who had been in hotels that often it was not clear who worked for what agency. As phrased by [Latta & Co](#), immigration solicitors in Glasgow, ‘the impact of all of this is that if one attempts to raise urgent concerns about the suitability of accommodation: it will not be actioned by Mears, it cannot be sent to the Home Office directly; and Migrant Help will hold onto it for days before it is eventually sent to

the Home Office to be considered, where people will often face further delays and ultimately required to instruct his solicitor to pursue judicial proceedings to resolve the issue.’

- In the early months of the pandemic in particular, the system appears to have been propped up by small, grassroots organisations and overstretched health teams, both groups having carried a disproportionate burden of care. The grassroots groups also seemingly had to ‘battle’ Mears’ and / or hotel staff to gain access to the people that they needed to help. All this without having had any warning of the moves from homes to hotels.
- More than anything else, what struck the Panel was the culture of fear in the system and how much this has been exacerbated by the Home Office and its providers’ seeming inability to operate an effective system that provides stability, community connection and support to (often traumatised) people. We heard about multiple kinds of fear. Most frequently, we heard that people seeking asylum lived with the deeply held fear that if they spoke up and sought help, the Home Office would be made aware of this and that their speaking up could lead to asylum claims being denied. Many individual and organisational witnesses felt that this fear was played on by Mears’ staff (for example, implying ‘if you complain it will harm your case’). Evidence suggests that this fear may have impeded testimony to this Inquiry. Compounding this fear of speaking out were other fears that for some, sadly, appear to have been well-founded: Fears that any community or friendships could be disrupted or broken at only a moment’s notice; fear for health

and safety from the ‘pressure cooker’ environment in some of the hotels; and fear, ultimately, as expressed by some of the hotel occupants that ‘we will be left here to die.’

### **More than anything else, what struck the Panel was the culture of fear in the system and how much this has been exacerbated by the Home Office and its providers’ seeming inability to operate an effective system that provides stability, community connection and support to (often traumatised) people.**

*‘We’re working with a Syrian [medical professional], who is in a hotel in Aberdeen, with no support. His lawyers are 180 miles away in Glasgow. He is living on £8 a week. He has developed paranoia in the last 11 months. He says, “At least if I am in a hotel and kill myself they’ll take my body and return it to my family.” He believes if he moved to a flat, the Home Office would forget all about him.’<sup>12</sup>*

- Shockingly, we heard that when help was requested, the requests often fell on deaf ears. (The Listening Day report [here](#) provides further details).

<sup>8</sup> Evidence provided to the Inquiry’s Listening Day

<sup>9</sup> Evidence provided to the Inquiry’s Listening Day

<sup>10</sup> Evidence provided by [Latta & Co](#) Solicitors

<sup>11</sup> Evidence provided to the Inquiry from a hotel resident, reported by [Refugees for Justice](#)

<sup>12</sup> Evidence provided by [Positive Action in Housing](#)

## Section 3: Panel conclusions: Moves from homes to hotels

1. The Panel acknowledged that the context of the early days of Covid were fraught for everybody and recognised that the Home Office and Mears Group may not have been any more prepared to deal with a highly infectious disease pandemic than the national government authorities; they may not have had the expertise or the protocols or the pandemic plans that they should have had. It is usually the case that times of crisis lead to spur of the moment decisions that with hindsight may not have been optimal. But in instances where rapid decisions are required, it is usually our principles and values that drive these decisions. **It is difficult to see any evidence that values of care or compassion – or principles of understanding and respecting Human Rights – underpinned the decisions to move people, nor the manner in which they were reportedly moved.**
2. It is clear from the AASC, from Mears' communications and those of Migrant Help that all parties acknowledge they work as part of a system, however poorly defined. It is also therefore clear that the leadership of these organisations, and at the Home Office, **should be aware** that a change in one part of the 'system' will have knock-on impacts on other parts of the system. **To fail to consult** on making such a change – in this case moving people

from homes to hotels – is to fail to allow others to make preparations for the change and therefore **is to cause the system to fail.**

**It is difficult to see any evidence that values of care or compassion – or principles of understanding and respecting Human Rights – underpinned the decisions to move people, nor the manner in which they were reportedly moved.**

Examples of these knock-on impacts included:

- a. A failure to consult [Migrant Empowerment](#) so that it could consider how to distribute funds and support to the right recipients once hotel moves had taken place.
- b. A failure to consult [Maslow's Community](#) – to give the organisation time to consider how it would provide the clothing, toiletries and essentials it normally provides to asylum seekers to people in hotels, when it had routinely done so through a shop; and
- c. A failure to consult the health services to enable

- them to work out how to use their limited resources to cover six hotels across Glasgow.
- d. A failure for hotel staff to be adequately prepared for incoming residents.

**In fact, the Panel heard no evidence to suggest that any appropriate form of consultation had taken place prior to the moves from homes to hotels.**

*"I have 15 years experience in hospitality. Before lockdown, Park Inn was a busy city centre hotel. I was furloughed [...] then brought back to work [...]. The manager called me on Thursday and said I have to go back to work on Monday. There was no special information about who's in the hotel or what's going on. Then the manager told me the guests were refugees – they were already there. There were social distancing signs around the hotel when I went back but people were not always social distancing. The only instruction I got was if someone feels unwell or unsafe, give them a phone number..."<sup>13</sup>*

3. To have moved people from community living (where **they could have locked down in their own homes, in the same way as the rest of the population**) to hotels immediately increased their risk of being infected by and subsequently transmitting a highly infectious and deadly respiratory virus (because of crowdedness of hotel and lack of ventilation, as well as the need to gather for meals rather than prepare them in their own flats) is at odds with the goals of health protection and health security. The decision to move asylum seekers to the crowded conditions of hotels contrasts with the physical distancing advice and scientific and public health evidence on how to manage infectious disease outbreaks.

<sup>13</sup> Evidence provided to the Inquiry by a member of hotel staff

**In terms of mental health, most accounts we heard suggested this deteriorated rapidly and to worrying depths.**

4. The **health impacts of the sudden move are striking and clear.** No thought seems to have been given to what it could mean for someone who has fled persecution, lived in fear and experienced trauma to be 'rounded up' and moved, against their will and robbed of all agency or control. **In terms of mental health, most accounts we heard suggested this deteriorated rapidly and to worrying depths.** We heard an account from a family who were told they **had an hour to pack up and leave their home of three years**, and where they had become popular and active members of the local community. The isolation, lack of control, accommodation in unfamiliar and inadequate surroundings, language difficulties, social adjustments, and uncertainty about what the future held – these had a harmful impact on people's mental health. **Some went for weeks without access to vital prescription mental health medication.** The crowded, poor quality hotel facilities and the inadequate nutrition impacted mood, feelings of wellbeing, sleep, fitness, and indeed may have longer term physical impacts. Even when public health restrictions on freedom of movement began to be lifted, the lack of financial provisions meant asylum seekers could not take public transit to exercise, socialise, travel to parks or language classes, effectively isolating them in the hotels. In these incidents hotel residents may have been told to call Migrant Help, but that seems not to have resulted in a speedy resolution of problems or even in a human connection. We

heard about long waiting times and about people being disconnected before they got through. **It is important also to remember that many hotel residents did not have access to phones.**

5. Hotel staff seem to have been poorly equipped to deal with the situation; not properly trained, overwhelmed, and suffered as well. **The Panel considers that many hotel staff were also victims of these decisions**, having had to step in and provide services that were outside their qualifications and job descriptions.

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**Hotel staff seem to have been poorly equipped to deal with the situation; not properly trained, overwhelmed, and suffered as well.**

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6. **There does not seem to be any evidence to substantiate the Home Office's conclusion** in its internal report that 'in the context of a global pandemic and the unprecedented scenarios that this presented the rationale behind moving people who had not previously been assessed as vulnerable from serviced apartments to hotel accommodation appears sound.' **There is plentiful evidence to suggest that there is crass understatement in the Home Office's conclusion** in the same report that 'the move from self-contained accommodation to the hotels should have been handled more sensitively. Communication should have been clearer, people should have been given more notice and the reason for the moves explained to them in greater detail.' **To many eyes it would appear that commercial imperatives were put ahead of human needs.**

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**To many eyes it would appear that commercial imperatives were put ahead of human needs.**

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**In summary, the Panel concluded that the tragic events at Park Inn that resulted in this Inquiry, in all likelihood, could have been avoided had people been allowed to stay in their flats and apartments during lock down; been continued to be provided with the routine cash payments they had received prior to the moves; and, allowed to continue to live their lives with the same restrictions as the rest of the population during that period.**



## Section 4: Lessons learned and system improvements?

To assess whether progress has been made on accommodation support and provision, and whether lessons have been learned or changes implemented as a result of the Home Office's internal evaluation, the Panel considered evidence of the current state and heard that:

- Hotels are being used on an industrial scale to accommodate both people seeking asylum and refugees. At the point the AASC<sup>14</sup> and AIRE<sup>15</sup> contracts were implemented (involving Mears and Migrant Help respectively in Scotland) between 1,000 and 1,500 people were being housed in 'institutional settings'.<sup>16</sup> In August 2022, that number was over 31,000. The average length of stay in this so-called 'contingency accommodation' was reported as being 170 days in August 2022. For many it is far longer than this.<sup>17</sup>
- Despite the UK Government's having acknowledged the unsuitability of hotels as accommodation for people seeking asylum<sup>18</sup>

Robert Jenrick, Minister for Immigration, appearing on BBC Breakfast, appeared to claim credit for their use '...I have only been in this job... for less than a week... and in the time I've been in the job, we've procured more hotels...'<sup>19</sup>

- People are routinely being moved multiple times, with little or no notice. We heard stories of people who had been moved three or four times in a matter of months, in one case, eight moves in two months. People are being kept in hotels far from community, from access to immigration solicitors and in areas that are poorly equipped to support them (with language classes, health care and translators). Sometimes people are in hotels for six, eight months, over a year – with no opportunity to build connections, integrate or contribute to society. And with complete uncertainty as to what their future holds.
- People seeking asylum who are accommodated in hotels are now entitled to £8.24 / week. Evidence suggests that these sums are erratically and inefficiently provided. Latta & Co's submission states 'we have received *hundreds*'<sup>20</sup> of referrals of people in hotels experiencing

problems in accessing the financial support they are entitled to...'

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### People are routinely being moved multiple times, with little or no notice. We heard stories of people who had been moved three or four times in a matter of months, in one case, eight moves in two months.

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- The culture of fear appears to continue. [Positive Action in Housing's](#) submission to the Inquiry states that 'A common theme we have seen is of asylum seekers facing alleged threats, both veiled and explicit, made by Mears Group staff; that asylum seekers could be deported if they complained about food or living conditions...'
- Likely furthering the culture of fear, Mears staff enter rooms and property at will, without warning, often just letting themselves in. The impact that this has on the lives and wellbeing of the people for whom Mears is 'caring,' is hugely detrimental. Few people in the UK can imagine what it must be like to know that a closed and locked door does not mean privacy. Extraordinarily, the Panel witnessed first-hand an example of this during a digital evidence session, when a member of Mears staff let themselves into a property of one of the participants on the call and started wandering about, without even having knocked, nor apparently having identified themselves before entering.
- There is little evidence to suggest meaningful progress has been made on safeguarding, nor on the elevating of safeguarding as a priority in

the relationship between the Home Office and its providers. The Panel has seen evidence that suggests that the Home Office's Safeguarding Board met in April 2021 to discuss a 'data pack' and to note that 'a safeguarding framework is in train.' This was 10 months after the Park Inn tragedy. In August 2021, the Safeguarding Board noted that Mears were 'looking at risk assessments and vulnerability criteria around room sharing.' There is no indication that the Board considered that Mears should be taking expert health advice to make this assessment. This was fourteen months after the Park Inn tragedy. In this same meeting, concerns about mental health of people in hotels were raised. It was noted that there is a grant 'up to 1 million pounds for a 6 month grant for up to four projects.' The Panel heard no evidence about receipt of these grants. In May 2022 the Home Office published the 'Asylum support contracts safeguarding framework,'<sup>21</sup> that it states is underpinned by four values; Prevent, Protect, Personify, Partner. This was almost 2 years after the Park Inn tragedy. The Inquiry's Listening Day held in October 2022 with people from hotels did not provide evidence of these values in practice.

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### There is little evidence to suggest meaningful progress has been made on safeguarding, nor on the elevating of safeguarding as a priority in the relationship between the Home Office and its providers.

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<sup>21</sup> [Here](#)

<sup>14</sup> [Asylum Accommodation and Support Contracts](#). See also Phase One Report for further information.

<sup>15</sup> [Advice, Issue Reporting and Eligibility Contract](#). See also Phase One Report for further information.

<sup>16</sup> National Audit Office Asylum Accommodation and Support July 2020 [Here](#)

<sup>17</sup> Home office data provide to members of its National Asylum Stakeholder Forum, September 2022

<sup>18</sup> House of Commons Hansard Covid-19 Asylum Seeker Services in Glasgow 29 June 2020 col 29

<sup>19</sup> BBC Breakfast 1 November 2022

<sup>20</sup> Inquiry's own emphasis

- The Panel had sight of a Mears document entitled ‘AASC Safeguarding Adults – Standard Operating Procedure’ dated 14 June 2021, a few days short of a year following the events at Park Inn. The document is lengthy (28 pages) and does not appear to have been written in a way that would make sense to pressed, hardworking front-line staff. It seems to be focused on reporting and information sharing protocols as well as performance targets – all of which seem to be reactive rather than prospective. There is nothing in the document that speaks to a pro-active duty of care, nor to training or support resources for the Mears staff. It is shocking to read in this document a check list to look out for signs of sexual and domestic violence (‘bruising, particularly to the thighs, buttocks and upper arms...’ ‘foreign bodies in genital or rectal openings...’) knowing that the intended audience is not health, social care or criminal justice professionals but housing/welfare officers employed for less than £25,000 pa by Mears to deliver under the AASC<sup>22</sup> with no particular qualifications or background in health or social care.

**‘Half of those who have died since the start of 2020 (41) were flagged as having a “safeguarding element” – a label officials assign to individuals recognised as having vulnerabilities or needs such as a health problem.’**

- During the course of this Inquiry, a joint investigation by the Observer and Liberty Investigates reported that ‘At least 17 people died

by suicide or suspected suicide [between April 2016 and May 2022], according to analysis of Home Office records released under information laws. Half of those who have died since the start of 2020 (41) were flagged as having a “safeguarding element” – a label officials assign to individuals recognised as having vulnerabilities or needs such as a health problem.’<sup>23</sup> The Scottish Refugee Council’s evidence to this Inquiry reported that 142 people have lost their lives between April 2016 to August 2022 (inclusive) and they estimate that around one-quarter to one-third of these deaths were, tragically, likely or confirmed suicides.

**The Scottish Refugee Council’s evidence to this Inquiry reported that 142 people have lost their lives between April 2016 to August 2022 (inclusive) and they estimate that around one-quarter to one-third of these deaths were, tragically, likely or confirmed suicides.**

<sup>22</sup> See examples of job advertisements for Welfare Officer roles at Mears such as [here](#)

<sup>23</sup> The Observer 20 June 2022 [Here](#)

### **Caught in the middle? New Scots and asylum support**

Immigration control, asylum determination and asylum support are policy areas that are reserved to Westminster under the Scottish Devolution settlement. However, across successive administrations, the Scottish Government has supported a more expansive view of the benefits of in-migration than government at Westminster. Central to this has been the Scottish Government’s New Scots Refugee Integration Strategy. Developed in partnership with civil society organisations and refugees, it covers areas of devolved competence such as housing, health, legal assistance and social care. A key feature of the strategy is its commitment to an ‘integration from day one’ approach: integration, understood to be a two-way process that engages refugees and receiving communities, begins on the first day of a person’s arrival in Scotland regardless of their immigration status.

Many of these same devolved policy areas are directly relevant to the Inquiry. The Scottish Government’s Inquiry submission reiterates their opposition to many features of the asylum support regime, and support for a more holistic and human rights-based approach. However, several Inquiry participants and Panel members felt that the Scottish Government must now be more proactive in wielding its devolved powers, most notably around housing, health and

social care. Specifically, there was seen to be a need for the Scottish Government to give the New Scots strategy some “teeth” through:

- clear and consistent leadership that ensures all government departments take steps to make integration from day one a reality,
- expanded partnership working with and resourcing of the crucial third sector organisations, community and refugee-led groups and health services whose work mitigates the worst aspects of the asylum support system, and
- a commitment to communication with and support for local authorities across Scotland who are receiving people seeking asylum and resettled refugees.

In the longer term, devolution of the asylum support system to the Scottish Government, or aspects thereof, could improve both its delivery and accountability.

## Section 5: Panel conclusions: Lessons learned and system improvements?

1. The Panel concluded that **there has been a deterioration in asylum support and accommodation since the events in June 2020. There is no evidence to suggest that lessons have been learned from experiences in Glasgow in the first months of the pandemic.** Further, there is no evidence to suggest that the Home Office has implemented recommendations it made to itself in its internal evaluation report such as considering a ‘place-based approach’ and a ‘person-centric’ view.

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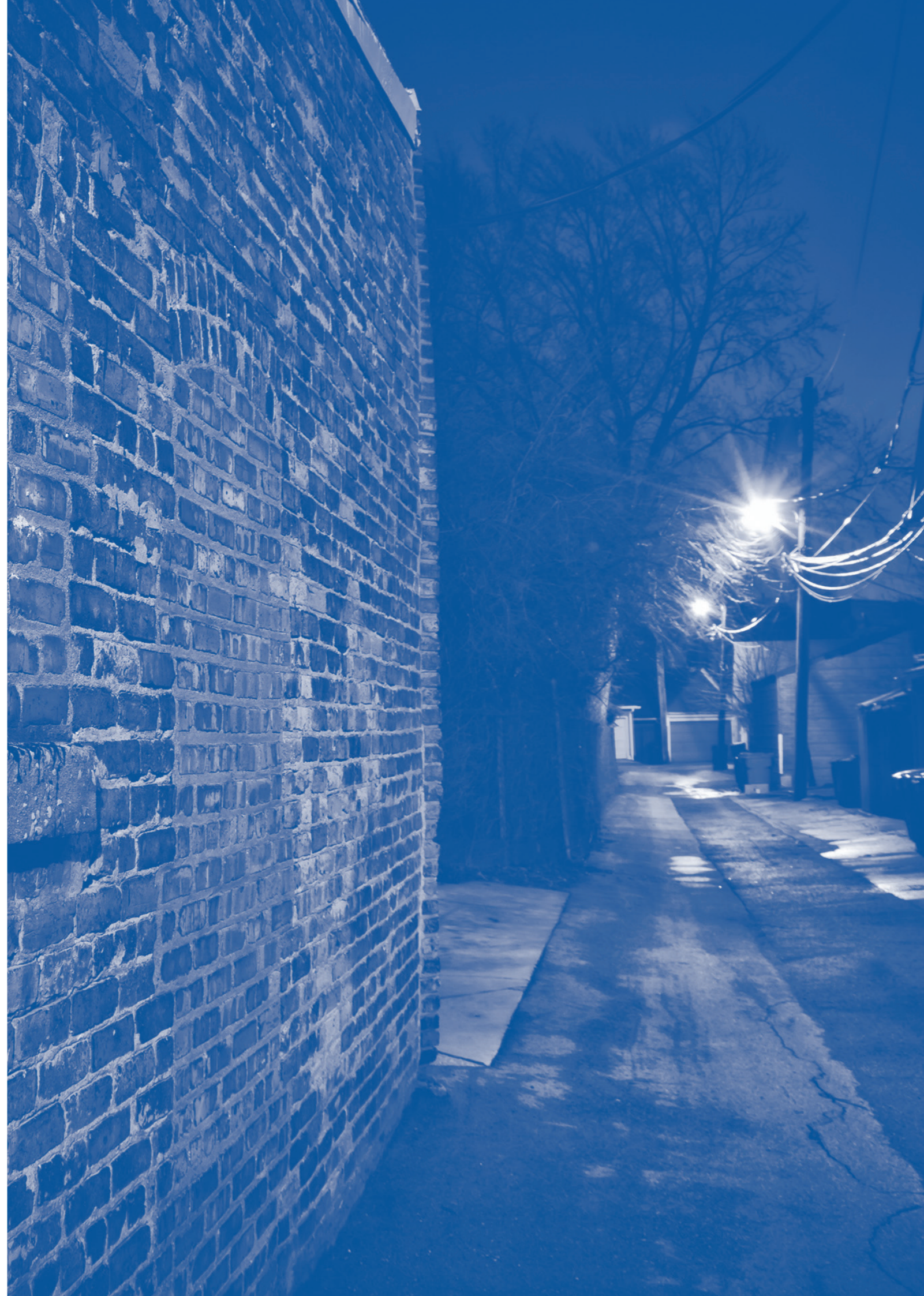
**There has been a deterioration in asylum support and accommodation since the events in June 2020. There is no evidence to suggest that lessons have been learned from experiences in Glasgow in the first months of the pandemic.**

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2. The Panel concluded that all of the above – the lack of adequate care, the lack of access to health services, money, the lack of resilience and agility in the system – are all indicators of an **asylum support system that is not fit for purpose.** It is neither based in Human Rights nor, apparently,

at times, in the basics of human decency. Nor is it resourced by appropriately trained health and social care professionals.

3. More could be done to embed, resource and **develop further the New Scots strategy,** potentially as a benchmark for good practice across the UK. Most importantly there should be recognition that integration does indeed ‘start from Day One’ as this strategy makes clear. A lack of investment in access to rights and in creating the conditions for positive human connection in the early stages of the asylum process not only impedes effective determination of asylum claims but can damage integration in the longer term. Given that both the UK and devolved governments have an interest in ensuring the effective integration of refugees and other new migrants, this seems not only inhumane but detrimental to wider governmental goals.



## Section 6: AASC<sup>24</sup> and AIRE<sup>25</sup> arrangements

In Scotland, the AASC is held by Mears Group plc, a private housing provider; and the AIRE contract is held by Migrant Help, a charity, for the whole of the UK. Mears' contract is worth in excess of £1billion over 10 years. Migrant Help's is worth £239million<sup>26</sup>. The total contract value of the AASC + AIRE (including other AASC providers outside Scotland, Serco and Clearspring) across the UK is £4billion over 10 years from 2019.<sup>27</sup>

Theoretically, one could imagine the idea having taken hold that centralising these services would provide a more efficient and effective system. 'They will deliver compassionate support through a new integrated service and make the asylum system more accessible and easier to navigate,<sup>28</sup>' was the claim from the Immigration Minister Caroline Nokes when they were announced. But the Panel was not provided with any information that suggests that the centralised contracts mean better access to

data, reporting, risk management and performance improvement (of delivery of the contracts). Most of the help and support to people in hotels and being accommodated through AASC arrangements is local – local grassroots organisations, local branches of NGOs, local immigration solicitors, interpreters and healthcare providers.

### But the Panel was not provided with any information that suggests that the centralised contracts mean better access to data, reporting, risk management and performance improvement

A hugely costly (in human and financial terms) tension exists when this local support seeks to access, penetrate or challenge this messy centralised system. It appears that the only advantage to these large-scale contracts lies with Mears – and possibly Migrant Help. Mears appears to be able to move people around at will in a way that dehumanises the individuals involved. Migrant Help seems to escape any kind of meaningful scrutiny of its services. The Panel heard evidence of 'better days,' (no-one suggested perfect days), when asylum support was provided and scrutinised locally.

Through the course of this Inquiry we heard the occasional positive remark about Mears' staff (particular individuals who had gone out of their way to help). We also heard positive remarks about some hotel staff (albeit we also heard stories of discriminatory language and behaviour). We did not hear a single positive comment about Migrant Help. The most flattering statement was 'they are fine as far as they go.' The Panel heard repeated claims of Migrant Help's inaccessibility, for example, the 24 hour helpline number ringing out, email contacts changing without warning or communication. An inquiry team member tried calling Migrant Help on two occasions with no reply after 25 minutes on both occasions; another time we tried there was no reply after two hours. Meeting minutes submitted to the Inquiry from a stakeholder forum (of civil society organisations and support services) convened in Glasgow during the pandemic note that, while the Home Office and Mears Group were regularly in attendance, Migrant Help did not appear to send a representative. Little seems to have been delivered in terms of concrete action to address the concerns raised in this forum. The Panel is not suggesting that front-line staff of these organisations are to be blamed or held to account. It is the Home Office's leadership – and these organisations' leadership – that set the systems, parameters and constraints within which front-line staff work. It is this leadership – and these systems – that require scrutiny.

**It is the Home Office's leadership – and these organisations' leadership – that set the systems, parameters and constraints within which front-line staff work. It is this leadership – and these systems – that require scrutiny.**

<sup>24</sup> [Asylum Accommodation and Support Contracts](#). See also Phase One Report for further information.

<sup>25</sup> [Advice, Issue Reporting and Eligibility Contract](#). See also Phase One Report for further information.

<sup>26</sup> National Audit Office Asylum Accommodation and Support July 2020 [Here](#)

<sup>27</sup> National Audit Office Asylum Accommodation and Support July 2020 [Here](#)

<sup>28</sup> New asylum accommodation contracts awarded 8 January 2019 [Here](#)

## Section 7: Panel conclusions: AASC and AIRE arrangements

1. **The AASC + AIRE contract arrangement is not fit for purpose.** A heavy duty of care is being set aside apparently in the interests of profit and centralisation.
2. Provision of support and accommodation for people seeking asylum needs to start from consideration of their human rights and be rooted in health and social care expertise. **These values and competencies seem in no way to be reflected in the heritage or current reality of Mears Group plc.**
3. **Hotels and congregate living (such as the use of barrack buildings) are not suitable accommodation for people seeking asylum.** They were not suitable during the pandemic and they are not suitable now. The statement in June 2020 by the then Parliamentary Under-Secretary of State for the Home Department, Chris Philp<sup>29</sup> that ‘Hotel accommodation is obviously not the preferred way to accommodate asylum seekers. I am speaking from memory, but I think that, prior to coronavirus, fewer than 1,000 people were accommodated in hotels, so less than 2% of the total. As I said, *we are looking to unwind the hotel accommodation as quickly as logistics allow*’<sup>30</sup>

bears repeating as the numbers of people in hotels has increased dramatically since the time the statement was made.

### The AASC + AIRE contract arrangement is not fit for purpose. A heavy duty of care is being set aside apparently in the interests of profit and centralisation.

4. The contracts require the providers to provide additional support to those who are vulnerable. **There seems to be little or no consideration of people being *traumatised*.** Understanding trauma, and creating trauma-informed approaches, is a competence in its own right which should be a required skillset in those organisations and individuals being paid by the government to support people seeking asylum.

Comments made by the Scottish Refugee Council to the Social Justice Committee in February 2022 capture much of the essence of what was heard by the Inquiry:

Nobody is winning. The situation is not only very damaging for the people who are placed in that accommodation, especially the longer they are in there, but bad for the Home Office and the Treasury...

“... the costs [of accommodating people in hotels] are eye watering and, in our view, wasteful. It could be done much better. The Home Secretary gave evidence to the UK Parliament Home Affairs Committee... and she confirmed, and the Home Office later clarified, that £3.5 million per day was being paid at that point to accommodate 25,000 asylum seekers in so-called contingency accommodation, which is generally ex-hotels and barracks. When you do a simple sum and multiply that £3.5 million by 365 days, you come to £1.277 billion that the Home Office is spending on private companies—Mears, Serco or Clearsprings—which then contract with hoteliers... that figure represents a gross waste of public monies... ..that figure of £1.277 billion is what is being spent in relation to only one third of the current asylum seeker population. There are 80,000 people in asylum accommodation across the UK, so about 25,000 to 30,000 are being placed into accommodation that is inappropriate because it is ex-hotels. That is not right for people; it is traumatising for many of them. However, that £1.277 billion constitutes more than a quarter of the £4 billion that was budgeted by the Home Office and the Treasury for those 10-year contracts (AASC + AIRE).

Nobody is winning. The situation is not only very damaging for the people who are placed in that accommodation, especially the longer they are in there, but bad for the Home Office and the Treasury... The present Home Secretary was the first for the best part of a decade to say, as she did in the Home Affairs Committee last Wednesday, that they will now fund local authorities directly. It is important that that promise is made good on quickly across the UK, including in Glasgow and other local authority areas in Scotland, because that is the solution.”

<sup>29</sup> House of Commons Hansard Covid-19 Asylum Seeker Services in Glasgow 29 June 2020 col 29 [Here](#)

<sup>30</sup> Inquiry’s own emphasis



## Section 8: Wider system issues

The Panel also recognised that the processes and systems of asylum support and accommodation do not exist in a vacuum. They exist within an apparently chaotic, expensive and inefficient process for asylum determination. It did not seem possible to make recommendations from this Inquiry without giving some consideration to this wider system. As such the Inquiry reflected on the following:

There are three parts to the issue:

1. The asylum determination process is chronically slow and backlogged. Refugee Action currently reports that 62% of all people seeking asylum wait longer than 6 months for a decision<sup>31</sup>. Living in limbo, with insecure immigration status whilst waiting for a claim to be decided was described by more than one Inquiry witness as a ‘form of torture.’ The Inquiry’s website provides the Scottish Refugee Council’s analysis of current issues and points to potential solutions, particularly in the case of high recognition countries, where there is a likelihood of positive grant rates (e.g. 95% for Libya, Syria 92%, Yemen 91%, Eritrea 90%). Prioritising claims from these countries, including implementing the Home Office’s own policy that allows for claims to be decided ‘on the papers’ without the need for

interview, would reduce the backlog of people in the process, improve individual outcomes and limit the burden on the public purse of providing asylum support for extended periods.

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### The asylum determination process is chronically slow and backlogged. Refugee Action currently reports that 62% of all people seeking asylum wait longer than 6 months for a decision.

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2. This burden is self-imposed by the UK Government. Only under exceptional circumstances are those in the process allowed to work. In a study published in August 2022, British Red Cross and UNHCR<sup>32</sup> highlighted the risks of exploitation of those stuck in the asylum system and unable to participate in the UK labour market. It is noteworthy that ONS statistics to September 2022 reveal over 1.2million job vacancies in the UK. At the same time it reported that the number of unemployed people per job vacancy was at a record low, 0.9.<sup>33</sup> Refugee Action

reports that in March 2022, YouGov polling found that 81% of the public support the right to work for people seeking asylum in the UK.<sup>34</sup> People’s desire to contribute and escape the dependency imposed by their exclusion from the labour market emerged strongly during the Inquiry. We note that in Canada, for example, people seeking asylum have the right to work from ‘Day One’ of making their claim and so can pursue international protection whilst working and paying taxes regardless of the ultimate outcome of their case.

3. The lack of adequate accommodation and support, as covered in the earlier sections of this report, exacerbate the health and welfare needs of people seeking asylum, increasing costs to local health services. The system we described elsewhere as being inherently fragile is only necessary because people are excluded from mainstream welfare and from work. And it persists because of delays and inefficiencies in asylum decision-making. Asylum support is a problem of the UK Government’s creation and its poor execution at every level makes it not only ineffective but inhumane.

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### Asylum support is a problem of the UK Government’s creation and its poor execution at every level makes it not only ineffective but inhumane.

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These three elements compound to create vicious circles of need, trauma and exclusion, in addition to massive financial costs. precedents exist for better systems that recognise the link between these three elements. The Irish Government is implementing reforms to its asylum determination system that places human rights, equality and integration at the heart of the process:

*‘Centred on a human rights and equality based approach, this new model will support applicants for International Protection from day one. It will allow us to ensure their needs are met and that they can integrate with independence into the community. It recognises the diverse and differing needs of applicants, depending on their life situations.’<sup>35</sup>*

This approach is, we suggest, one that could inform and guide reform.

<sup>31</sup> See [Here](#)

<sup>32</sup> At risk: exploitation and the UK asylum system [Here](#)

<sup>33</sup> ONS Vacancies and jobs in the UK: October 2022 [Here](#)

<sup>34</sup> See [Here](#)

<sup>35</sup> <https://www.gov.ie/en/publication/7aad0-minister-ogorman-publishes-the-white-paper-on-ending-direct-provision/>

## Section 9: Panel conclusions: Wider system issues

1. It is not just the AASC + AIRE arrangements that fail people seeking asylum and UK society. **The wider asylum system is broken. It needs a radical re-think.** Lessons can be learned from the Afghan Citizen Resettlement Scheme, Homes for Ukraine, the Syria Resettlement Programme and the New Scots strategy, as well as from schemes in Canada and Ireland.
2. It is impossible to make sense of the systemic exclusion of people seeking asylum from the labour market, particularly in a period of urgent demand for growth and one of the tightest labour markets in decades. **Work is a means through which we support ourselves, contribute to the economy and participate in society. Access to the labour market should be seen as a key enabler of integration and contribution,** not a privilege to be denied.
3. The asylum system needs to be one that is resilient and designed to be capable of dealing with emergencies and crises. It is emergencies and crises that create the need for people to flee their homes and seek safety, as the war in Ukraine has so recently shown. As such, there are limitations to the argument that it was only the exceptional nature of the Covid crisis that caused these problems highlighted by this Inquiry. Even in the midst of the Covid crisis there should

have been an understanding of this community's particular needs because of what they have suffered. Their wellbeing should have been paramount. **The system should be designed to be robust and resilient to crises.**

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**The asylum system needs to be one that is resilient and designed to be capable of dealing with emergencies and crises.**

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## Section 10: Panel recommendations

These recommendations apply to the whole of the asylum system for the whole of the UK.

1. The asylum determination and asylum support and accommodation systems should be overhauled, with due consideration given to the creation of an independent decision-making system. In other words, there should be an urgent and radical rethink of the systems by which we assess peoples' status as refugees and the support that they are provided with, and the rights they are able to enjoy, through the process. The new systems should prioritise equality and human rights, be delivered by competent organisations, be properly funded, managed and delivered where possible at a local level, and be built from values of care, effectiveness, agility and resilience.
2. There should be an immediate stop to further use of institutional accommodation for people seeking asylum. Barracks, hotels and other congregate living arrangements should be wound down as fast as possible and replaced with properly funded and monitored community-based living arrangements.
3. Local authorities and other agencies (health, education, policing) should be involved from the outset in any system changes from hereon in.

4. Existing specialist services in the NHS should be expanded – to include coverage across Scotland (and the wider UK) – to cater for the health, physical and mental, of people seeking asylum.

5. There should be an immediate review of the right to work of people seeking asylum with the going-in assumption that the right to work should be granted.

System changes take time, in the meantime, the Panel recommends that:

6. Mears Group plc – and other AASC providers – should immediately create a ring-fenced fund for asylum seeker wellbeing and mental and emotional health support, including treatment for trauma. This fund would give greater credentials to the 'care' element of Mears' business, could replace some of its existing CSR investment and would make small recompense for its profits seemingly being – in part – at the expense of already over stretched NHS and local authority resources. This fund should be administered by local agencies, entirely independent of Mears. Mindful of the scale of Mears' contract value, we recommend that this fund is £5million per annum for the remainder of the term of the AASC.

7. An immediate review should be initiated of Migrant Help's work under the AIRE, following up on National Audit Office findings<sup>36</sup>, press coverage<sup>37,38</sup> and the testimony of asylum seekers as to its poor accessibility and performance.
8. With immediate effect, all Mears, Migrant Help and hotel staff should be required to wear lanyards stating their name and the organisation that they work for. In all hotels in which people seeking asylum are accommodated, there should be posters explaining the roles – in simple visuals where possible – of the organisations. It should be made absolutely clear that neither Mears nor Migrant Help have any say whatsoever in asylum decisions.
9. Disclosure is made of Mears' and Migrant Help's frontline staff training programmes, with a view to seeking feedback and improvement from health and social care specialists, particularly those who specialise in trauma within the grassroots organisations and NGOs that support people seeking asylum. This training should also be provided to any staff members in hotels or other congregate living arrangements where asylum seekers are accommodated.
10. The job descriptions, training and pay of Mears' staff and any other people who are

<sup>36</sup> National Audit Office Asylum Accommodation and Support July 2020 [Here](#)

<sup>37</sup> See [Here](#) and [Here](#) for example

<sup>38</sup> 'It just rings and rings': Home Office helpline for asylum seekers rated inadequate The Observer 6 Nov 2022 [Here](#)

expected to care for people seeking asylum (e.g in hotels) should reflect the duty of care, responsibilities and qualifications that are required to do the job properly. This means making sure staff are being supported to undertake relevant health and social care qualifications and are being paid – and are being supported in undertaking continuing professional development – accordingly.

11. Mears staff should be instructed that they can only enter peoples' homes and rooms with permission and a minimum notice of 24 hours.
12. Greater priority must be given by Mears and Migrant Help to working with local authorities and civil society organisations. The formal and informal networks that exist need to be given stronger standing. They need to have visibility at senior leadership level in both organisations and need to create an accountability mechanism that drives Mears and Migrant Help to act and improve performance. Minutes from the Home Office's Safeguarding Board should routinely be shared within these forums to maximise transparency and accountability.
13. A mechanism should be found to power and resource the New Scot's strategy – so that it moves at pace to well-resourced and well-governed implementation. As part of achieving this, the Scottish Government should consider what leeway it has within devolved powers to mitigate the impacts of the failings outlined in this report. This should

include prioritising opportunities to recognise, support and resource peer to peer support.

14. Mears, Migrant Help and the Home Office should seek input from community-based organisations in Glasgow to come up with a package of support for people who are still struggling with their mental and physical health as a result of the Park Inn incident (including people who were in staying in the hotel, working in the hotel and witnesses). This package (of funding) should be administered independently of Mears, Migrant Help and the Home Office and should be in place by 31 January 2023.

This is not an alternative to the ring-fenced fund (see 6. above). It is a short-term measure pending the establishment of this fund.

15. There should be a full ECHR-compliant public inquiry with evidence gathering and disclosure powers and legally binding recommendations, into the Home Office and its contractors' discharge of their safeguarding responsibilities to all those in their asylum support and accommodation system during the Covid-19 period, particularly with reference to the "en-masse" moves in Glasgow and with consideration of the extent, nature and systems around harms including loss of life in this system.

"An effective and transparent inquiry with proper victim involvement would establish precisely what happened and why, ensure identification of unsafe practices and systems failings, in respect of risk management, safeguarding and information sharing. It could also examine the broader operational and policy decision making, and the oversight and monitoring of Home Office contracts.

At a time of increasing use of hotel accommodation for asylum seekers it is all the more vital there is the opportunity for proper public scrutiny of operational and systemic issues relating to the identification, protection and monitoring of their care and welfare to ensure they are treated with humanity and respect in safe environments.

This process is vital. It is the day to day experience of INQUEST that only robust examination of serious events and their causes can produce proper understanding and the identification of lesson learning in the hope this is acted upon, to prevent future deaths and improve health and safety more generally. This cannot be done in a cursory way, nor without the full involvement of those affected. This is also critical for victim and public confidence in an accountable state."

Deborah Coles, Executive Director, INQUEST

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Scottish Refugee Council  
Sheila Arthur  
Shona Robison MSP  
Yvonne Blake  
AND many other individuals who courageously provided oral evidence to the Panel but chose to remain anonymous due to fears as to what speaking out might mean for their asylum claims.

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Inquiry funding thanks to AB Charitable Trust, The Baring Foundation, Barrow Cadbury Trust, Esmée Fairburn Foundation, Joseph Rowntree Charitable Trust, Paul Hamlyn Foundation, Tides Foundation, The Tudor Trust and Unbound Philanthropy.

