



Advice for homeless people who are asylum seekers (or who are asylum seekers whose claims have been refused) about their rights to accommodation and assistance

If you are currently or have previously been an Asylum Seeker, then you may be entitled to support from the Home Office.

Section 95 Home Office Support

You may have a right for accommodation and support under section 95 if you are homeless or do not have enough money to meet your essential living needs and you have a live asylum claim, a human rights application made on grounds of Article 3 or you have received a Home Office refusal decision but have submitted an appeal.

You may also have a continuing right to section 95 support if you had a child under 18 when your initial asylum claim was decided and your child is still under 18.

Section 98 Home Office Support

If you need help urgently then you can apply for emergency support under section 98 whilst the Home Office make a decision on your section 95 application.

Section 4 Home Office Support

If you are an asylum seeker but your claim has been refused by the Home Office and you have no more rights of appeal then you may have a right to accommodation and support under section 4.

To qualify for this support you need to be able to show that:

- you agree to leave the UK and are taking all reasonable steps to do so; and
- you cannot leave the UK because of medical problems that mean you cannot travel, or there are other practical reasons why you cannot leave; or

- the Home Office agrees that there is no safe route of return back to your home country; or
- you have issued a claim for judicial review against the Home Office's asylum decision and have been granted permission by the court; or
- you have issued a fresh claim for asylum or are making another legal challenge; and/or
- you need accommodation and support to avoid a breach of your human rights.

However, you may have a right to housing and support from the Council instead of the Home Office if you are either not eligible for asylum support or asylum support would not be suitable for you, if you meet one of the following criteria:

- You have children – you can find more information here: <https://www.gmlaw.org.uk/housing/homeless-people/r2/>.
- You are under 21 and have been in Council care for at least 13 weeks whilst you were 16 or 17-year-old – you can find more information here: <https://www.gmlaw.org.uk/housing/homeless-people/r3/>.
- Have care needs, have been detained by mental health services or need support to avoid a breach of your human rights or rights under EU law – you can find more information here: <https://www.gmlaw.org.uk/housing/homeless-people/r4/>.
- Have been the victim of trafficking or modern slavery – you can find more information here: <https://www.gmlaw.org.uk/housing/homeless-people/r5/>.

How to apply for asylum support or challenge decisions about your support

Migrant Help

If you need to apply for section 95 or section 98 (emergency) support, you can contact Migrant Help on 0808 8000 631. You can also contact Migrant Help for advice and guidance about your rights on 0808 8000 630 or go to their website: <https://www.migranthelpuk.org/about-asylum-services>

Greater Manchester Immigration Aid Unit (GMIAU)

For further help in challenging asylum support decisions you can contact ASHA (Asylum Support Housing Advice) at Greater Manchester Immigration Aid Unit, by calling 0161 227 8555, by e-mail info@asha.gmiau.org.

Or go to GMIAU's website: <http://gmiau.org/>

Manchester Refugee Action

If you are a homeless asylum seeker who has had their claim refused, cannot return home and are particularly vulnerable, you can contact Refugee Action's Preventing Asylum Homelessness Project through their website at <https://www.refugee-action.org.uk/project/preventing-asylum-homelessness/>

Asylum Support Appeals Project

The Asylum Support Appeals Project offer free help, advice and representation for people who want to appeal an asylum support decision. They also have lots of helpful information on their website about Asylum Support: <http://www.asaproject.org/>