

Myth vs. reality on refugees



THERE is a lot of disinformation circulating about refugees in Scotland.

False assertions conflate the legal status of refugees with asylum seekers and wrongly scapegoat people for clickbait headlines. With that in mind, Glasgow's Govan Law Centre has produced a fact sheet to bust some myths and set out some facts.

Asylum seekers are not illegal immigrants and it's not illegal to claim asylum. A person seeking asylum must apply to the UK Home Office for protection under the 1951 United Nations Convention relating to the Status of Refugees. If the Home Office is satisfied upon the evidence that an individual cannot return to their home country because of war, violence or persecution he or she may be eligible for refugee status.

The 1951 Convention is an international treaty which 149 states around the world are party to. An asylum seeker remains subject to immigration control and is provided with accommodation by the Home Office through private sector companies until their application is decided.

Local authorities owe no duties or assistance towards people seeking asylum and generally cannot help them. The Home Office will provide an asylum seeker with £7 per day to live on or £9.95 per week if their accommodation provides meals. There is no automatic right for an asylum seeker to work for a living under Home Office rules.

In Govan Law Centre's experience, asylum seeker accommodation in Glasgow often includes undesirable hard to let properties of poor quality. Asylum seekers are frequently put in hotels with no access to cooking facilities. If an asylum claim is refused the Home Office will stop the person's support and end their accommodation and a person will be left with nothing and often returned back to their country.

A refugee is not an "illegal immigrant". A refugee has endured screening interviews and often appeared before an immigration judge. This is an arduous and rigorous legal process administered by the Home Office.

A UK refugee has been successful in discharging their burden of evidential proof to prove to the Home Office that there is a serious likelihood he or she would be persecuted if they returned to their home country. In practice when a person secures refugee status the Home Office's accommodation provider will terminate their current accommodation and advise them to contact their local council as a homeless person.





In our experience many refugees end up destitute and rough sleeping. After being granted refugee status in the UK a person can present to any local authority in Scotland within six months of being granted refugee status.

This was true before changes in 2022 to suspend the power of Scottish local authorities to refer an applicant to another council in Scotland on their local connection to that area. The suspension of this power, although innovative and progressive, has had no impact on the dispersal of refugees who have always been free to present as homeless to any local authority after being granted refugee status.

Anyone is entitled to make a homeless presentation and a council has statutory duties to take a homeless application and offer *interim* accommodation while they investigate the application and issue a decision in writing on that application.

Sadly, the reality is that it is not uncommon for applications by homeless refugees to be ignored or mishandled in Scotland – as often happens for local citizens too (see our Homeless Fact Sheet). **A refugee has the same rights as a UK citizen to homelessness assistance – no less, no more.**

Homeless legislation in Scotland is world class but we see repeated failures daily by councils, including a failure to take homeless applications when they are made. We also see homeless applications being accepted but people being left to sleep rough. We repeatedly have to advocate for people and remind councils of their statutory duties and on rare occasions proceed to judicial review.

MORE FACTS

- Almost half of refugees in the UK were in employment and paying income tax and national insurance contributions after two years.
- Asylum applications dropped by 20% in the UK last year to just over 69,000. The UK is ranked 16th in Europe for asylum applications.
- The number of people crossing the English Channel in small boats has decreased by 45% in the last year to 15,897 people.
- 6% of all UK asylum applications are made by unaccompanied children, some under 14 years of age, seeking protection in the UK from persecution.
- 22,037 people were detained in immigration removal centres during the year ending June 2026, including 13,725 people seeking asylum (a 7% increase on the previous year).

See the UK Government's latest immigration statistics for the year ending June 2026

