

RCD News



Newsletter from the Community Development Team

Challenging times: Asylum seekers experience harsh reality of Section 55

Many Refugee Community Organisations (RCOs) and refugee agencies have now begun to see the effects of Section 55 of the Nationality, Immigration and Asylum Act (NIA) 2002, which came into force in January this year. Section 55 denies support (accommodation and money) to asylum seekers if they claim asylum after they enter the country, unless they can prove that they did so as soon as was reasonably practicable. There are exceptions for families with children and people with special needs.

As predicted, RCOs and other organisations are now seeing an increasing number of clients who are homeless and destitute. Many asylum seekers have been sleeping rough all over the country. Organisations have been working hard to provide support to them, but difficulties arise as charities are not permitted to use any government funding they have to assist such asylum seekers. Also, local authorities are prohibited by Section 54 of the NIA from assisting these people unless they have a special need. Asylum seekers can ask NASS to reconsider its decision to withhold support. To do this, they need to provide evidence that their health will be damaged or that they have been made destitute, and that they are not able to get charitable support. RCOs and agencies can provide letters stating that they cannot support clients. It is, however, a difficult situation for organisations, as any assistance given to an individual could undermine their classification as destitute, thereby making it harder to reverse the NASS decision.

The Refugee Council and other agencies have already won a court case against the Home

Office by arguing that leaving asylum seekers without the right to work and without support is inhumane and degrading treatment under Article 3 of the Human Rights Act. A further court case ruled that the threshold for proving destitution should be lowered. The Home Office is currently appealing against this. At a meeting organised by the Refugee Council last month, RCOs felt very strongly that organisations needed to make a joint effort to campaign against Section 55. A useful action is for organisations to write to their MP outlining their concerns. RCOs can also support the campaign by collecting case studies. Send case studies to Imran Hussain on imran.hussain@refugeecouncil.org.uk, 020 7820 3046. For more information on the Section 55 campaign contact Imran Hussain, as above, or Carl Blackburn on 020 7820 3074, carl.blackburn@refugeecouncil.org.uk. We will continue to keep RCOs informed of developments and campaigning activities.



Insert: Children's project from the Angolan Community Advice and Information Centre.



Proposed changes to legal aid

All RCOs were recently sent a detailed briefing on the government's current plans to change asylum seeker's entitlement to legal aid by reducing the amount of legal aid available to five hours. The Refugee Council and other organisations such as the Immigration Law Practitioners' Association (ILPA) are extremely concerned that this represents a severe attack on access to justice as it would be practically impossible to complete an asylum claim in that amount of time, especially considering the time taken for interpretation. The Consultation period for these proposals ends on 27th August 2003 but the Refugee Council and many other organisations will continue to campaign against the proposals after this date. RCOs can get involved by writing to their MP and asking them to raise the issue at Parliament. The Refugee Council would be interested to see any case studies of how these changes would have impacted on cases in which you have been involved. For more information contact Richard Lumley on 020 7820 3067, richard.lumley@refugeecouncil.org.uk. Details of the proposed changes are at www.lcd.gov.uk/consult/leg-aid/asylum.htm

A campaign is being co-ordinated by a wide range of organisations and is led by Asylum Aid, Liberty and Bail for Immigration Detainees (BID). RCOs can keep in touch with campaigning developments by joining an email information forum at www.immigrationandasylumwork.info or contact Tim Baster at BID on 020 7247 3590, bailforimmigrationdetainees@yahoo.co.uk

Health News

Due to the recent changes around asylum seekers' entitlement to support, there is some worrying confusion around health care entitlements for refugees and asylum seekers. Some RCOs have reported that asylum seekers are being referred to them from health authorities, claiming they do not have the right to health care. This confusion has arisen because the new section 55 of the Nationality, Immigration and Asylum Act 2002 denies asylum seekers NASS support if they fail to apply for asylum as soon as possible on arrival to the UK. However, entitlement to health care has not been affected, and **refugees and asylum seekers still have the right to access health care**. Under the current legislation, those who have made an application for asylum in the UK or have been granted refugee status in the UK are exempt from National Health Service (NHS) hospital charges and are therefore entitled to receive free hospital treatment. In common with those normally resident in the UK, they have to pay certain statutory NHS charges, unless they qualify for exemption, and have to go onto hospital waiting lists.

However, the government is proposing to amend the National Health Service Regulations 1989, so that asylum seekers whose applications have finally been rejected would no longer be entitled to many free health care services. Only GPs and accident and emergency services would remain free. The Refugee Council is currently preparing its response to these proposals from the Department of Health. It is keen to get the views of RCOs on this matter, and would like to organise a meeting to discuss RCOs' concerns. The response has to be delivered by the beginning of October. RCOs interested in contributing should contact Helen Murshali on 020 7820 3108, helen.murshali@refugeecouncil.org.uk.

Writing to your MP

Writing to your MP is an excellent way of campaigning to reverse legislation such as Section 55 and the changes to legal aid. Find out who your MP is by calling the House of Commons enquiry line on 020 7219 4272. Send your letter to House Of Commons, London SW1A 0AA. For more information, contact the Community Development Team.

Funding News

Children & Young people's unit (CYPU)

The CYPU has a consultation fund aimed at improving the participation of children and young people in consultations and decision-making on local, national and regional issues, and providing them with opportunities to voice their opinions. Activities funded include conferences, meetings, workshops and debates, covering items like travel expenses, accommodation and subsistence costs, and delegates' fees. The maximum grant is £7,500. There are no deadlines for applications, but the current round is for activities occurring before March 31st 2004. For more information call 020 7273 5321 /5331 /5316, www.cypu.gov.uk/corporate/participation/consultationfund.cfm

Department of Health

The Department of Health (DOH)'s Section 64 General Scheme fund aims to develop partnerships between the DOH and the community sector. It supports community health projects that provide a similar service to that provided by the National Health Service (NHS) or social services, or that publicise and give advice on services provided by the NHS, social services or a similar body. Priority areas include ensuring that asylum seekers and immigrants have proper access to NHS provision. The average grant is £35,000, and the deadline is 18th September 2003. For more information call 020 7972 4109, www.doh.gov.uk/sect64/grants.htm

Sharing Experiences

RCO News talks to Joao-Pedro Lunguela from the Angolan Advice and Information Centre about their website.

"We decided to create a website so that we could communicate with clients who cannot come to the office. Our website has information in Portuguese and English on issues affecting our community, such as changes in the asylum and immigration legislation, the situation in Angola, and the activities and services we provide. It is an especially important tool to reach people who have been dispersed and may not have any other source of information. The feedback we get shows people really like the site, especially the events listings and the photo gallery. Although not everyone has Internet access at home, most people are able to access it somewhere, such as at ESOL colleges.

Organisations which are thinking of developing a website need to take into account the financial considerations, and also the time you need. Our website was created by a dedicated volunteer who already had a lot of experience in this area. Now we have to work hard to keep it up to date, as this takes a lot of time. In the future we want to add sections with information on housing and welfare. A website is also a good tool to publicise your organisation and attract more clients. Now we have the website we sometimes get clients contacting us by email, and we send them back the relevant information. And not just from Angolans - we get emails from many other nationalities who have found our website and approach us for support."

For more information contact 020 8808 1255, aaic@btinternet.com, www.angolan-aic.org.uk

RC Members Conference

The Refugee Council is holding a policy conference for its members on 5th November. All members will soon be sent information. For information about membership, please contact Petra Phiri on 020 7820 3032, petra.phiri@refugeecouncil.org.uk





New Chief Executive joins Refugee Council

The new Chief Executive, Maeve Sherlock, joined the Refugee Council last month. Prior to this, Maeve was an advisor to the Chancellor Gordon Brown on a range of issues, including welfare reform, poverty and social exclusion. She has also been Chief Executive of the National Council for One-Parent Families and served as Chief Executive of UKCOSA: The Council for International Education, a charity working in the field of international education and supporting international students. She has had a number of non-executive appointments including Trustee and Treasurer of the National Family & Parenting Institute, and received an OBE in 2000 for services to the eradication of child poverty.

RCO Women's News

You will find a copy of "RCO Women's News" inside this copy of RCO News. This will now become a regular insert to RCO News. We hope you find it useful!

BME Fundraising Project

The London Development Agency (LDA) is currently looking to recruit participants for its BME Fundraising Project. The project aims to train black and minority ethnic (BME) voluntary sector staff as professional fundraisers. An open day will be held on 24th September at LVSC, 356 Holloway Road, at 2:00 - 4:00 and 5:00 - 7:00 (attend either session) to give more information. Or contact Gurmit Singh on 020 7520 2421, gurmit@btteg.co.uk

Parenting workshops

The Refugee Council's Training and Employment Section (TES) is running one-day workshops on parenting on September 10th, 17th, 24th and October 1st. The workshops will cover issues such as child development, communication and parenting skills. They are free and lunch is provided. To book a place contact Laurie Garlington on 020 7346 6745, laurie.garlington@refugeecouncil.org.uk

Useful websites

www.liberty-human-rights.org.uk

Organisation that campaigns on human rights issues, including access to justice for asylum seekers.

www.asylumaid.org.uk

Provides free legal advice and representation for asylum seekers in the UK.

Meet the Team

Calvin Armstrong

**Partnership
Development
Manager**



Calvin is the new Partnership Development Manager who joined the Community Development Team in July 2003. Before then he worked with different multicultural agencies, primarily with Refugee Community Organisations. Calvin will support RCOs currently involved in partnership work and those wishing to get involved in existing partnerships or to develop new ones. His aim is to raise awareness among other agencies of the dynamic needs that exist within the sector, and to support RCOs through capacity building and through other self-empowering initiatives. You can contact him on 020 7840 4429 or calvin.armstrong@refugeecouncil.org.uk

For further details, please contact the Community Information Adviser on 020 7820 3070 or visit our website at www.refugeecouncil.org.uk

