



Speech by Maeve Sherlock:

“Asylum seeker destitution”

Church Action on Poverty conference
Manchester

3 December 2005

Abdullah case

Last year one of our project workers in the Refugee Council's Leeds office – a woman called Kate – saw a client whose name was Abdullah. He was an Iraqi asylum seeker whose application for refuge in the UK had been turned down.

Abdullah was in an extremely bad state. He had been sleeping rough, his belongings had been stolen and he had been beaten up. The gash on his arm looked really nasty. On top of all this, he was clearly suffering from mental health problems.

At the time it seemed there was little Kate could do to help. As a failed asylum seeker Abdullah wasn't entitled to the normal benefits and accommodation provided by the National Asylum Support Service or NASS, as it is known.

(Not that this is very generous. A single man has to get by on less than £40 a week – and the accommodation is often a hostel place or a room in a 'hard to let' property.) What Abdullah could have received was 'hard case' or 'Section 4' support. It's even less generous than NASS support. It's literally bed and board. Or bed and vouchers. No cash.

But he wouldn't take it up anyway, because it meant signing up to voluntary return, and Abdullah – like so many Iraqi Kurds then and now – is terrified of going back to his homeland.

So, as I say, there was not much our project worker Kate could do for him. But she was so shocked by Abdullah's case she wasn't just going to give up.

First of all she worked on his immediate needs. Over a period of weeks, she helped him to find a doctor, she sorted out food and overnight accommodation. But she didn't leave it there. She took the case up with more senior staff and, crucially, with lawyers at the Refugee Legal Centre.

It was Abdullah's case which was used as the basis for a judicial review of Section 4 and in early 2005 the Home Office conceded that there were no safe routes into Iraq at the time and allowed Iraqi Kurds to claim Section 4 support without requiring them to sign up for return.

This victory not only benefited Abdullah, but it also helped all Iraqi Kurds in the UK who were in a similar situation. In just three months, in the Leeds office alone, the Refugee Council assisted more than two thousand people to apply for this support.

Section 4

So a happy ending? Sadly not.

As this winter begins to bite – and it is likely to be a bitter one, or so the weather people tell us – Iraqi Kurds are having their Section 4 support removed again. A direct route into Northern Iraq has opened up and flights into the city of Erbil have been taking place. Some Iraqis have been returning voluntarily. So the government is arguing that it is safe. The UN High Commissioner for Refugees and many other agencies don't agree – there is a world of difference between going back voluntarily and being forced back. But the government is determined to meet strict targets for

returns. And until they can be removed, the Iraqi Kurds are back on the streets. No food, no shelter, no support at all.

Section 9

Sadly, the problem of destitution is not confined to just one group of asylum seekers. And Section 4 is not the only policy causing such misery.

You've probably all heard of Section 9. This policy gives the Home Office the power to withdraw support from families whose asylum application has been refused and who are not taking steps to return voluntarily.

Ministers say the aim of Section 9 is not to make families destitute or to take children into care. The aim is to "change the behaviour" of asylum seeking families so that they agree to return home where their asylum claim has failed.

Well, that may have been the aim, but it hasn't the outcome. In the pilot programmes in three areas of the UK, more than a hundred families have received letters warning them that their support could be cut off.

Very few of those families have "changed their behaviour" and decided to co-operate with the authorities. They are often scared of going home but also scared of having their children taken away from them. So – as the government was warned – many of the families have simply disappeared. Reports suggest as many as 35 families in all. They too will be living in destitution this winter.

Zimbabwe

As will many Zimbabweans.

In an important ruling in October a tribunal decided it was not safe for asylum seekers to be returned to Zimbabwe. There was a real danger of them being persecuted simply because they had fled to the UK – an act regarded as treachery in itself by the Mugabe government.

This has meant that Zimbabweans who have failed in their claim for asylum are not facing the threat of removal.

Indeed it is very likely that they will remain in the UK for many months, if not longer, as it will probably only be safe for them to return when Mugabe falls.

But at the moment these men and women are left in limbo. They can't be sent back, but they are still not given proper support.

I recently met a remarkable Zimbabwean young man called Harris. He took the lead in the campaign to stop removals to Zimbabwe by going on a hunger strike in the detention centre where he was being held. He went for 36 days without food and ended up in hospital. When he ended his protest he could not walk or even sit up without assistance.

Mercifully, Harris is out of detention now, he is not facing removal and he is looking a lot better. But his ordeal is not over.

He has been sleeping on the floor of a supporter's flat in an East End tower block. He has no money for food or other necessities. He is very active in exile politics, but finds it difficult even to afford the bus fare to get to meetings. He has a lot of time on his hands and admits to getting bored.

And yet he is university educated, speaks excellent English and worked as a geography teacher in Zimbabwe. There is no reason why he shouldn't work while he is in the UK.

An inner London MP who knows Harris said schools in her borough – which are crying out for good teachers – would have him "like a shot".

But of course as an asylum seeker, he is not allowed to work. He is one of many Zimbabwean professionals – doctors, nurses, teachers and journalists – who live in destitution when they could be paying their way. It's a senseless situation.

That's why, in the next few days we will be leading a call for Zimbabwean asylum seekers to be given status so that they can make use of their skills and qualifications for the benefit of themselves, for the benefit of UK society and – ultimately – the benefit of a new Zimbabwe.

Wider problem

Of course it doesn't end with Zimbabweans and it doesn't end with the right to work. No group in our society should be living in destitution, whatever their circumstances. As Tony Blair himself said, back in 1999, "it is a scandal that there are still people sleeping rough on our streets. This is not a situation that we can continue to tolerate in a modern and civilised society."

He was talking about at the launch of an initiative to help Britain's homeless, but the same applies surely to asylum seekers?

The government has had some success in tackling homelessness, poverty and social exclusion among many disadvantaged groups in our society. And yet, at the same time, it has created this new underclass – the destitute asylum seeker.

The churches

Thankfully, there are people in our society who are doing what they can to help asylum seekers in these desperate situations. Charities like Refugee Council and the Red Cross, community organisations and support networks and – of course – churches and other faith groups.

Much of this support is at the most basic level. Serving hot food or handing out sandwiches. Giving people a place to crash for the night or helping them to find some temporary accommodation. Giving them small amounts of cash. Many of you here will know of local church groups who are doing what they can to help asylum seekers in their areas.

I know of one church in an affluent village in the Thames Valley – not the sort of place that has asylum seekers in its midst – where the parishioners are doing their bit by

holding a 'refugee season'. Even the food collected at their harvest festival this year went to a refugee centre in a nearby town.

For other churches the problem *is* on their doorstep. Christian Care is a volunteer group in Wimbledon. Its chair told a colleague of mine recently that the group started up in the seventies to help the homeless and deprived of the borough, but these days most of the people it works with are asylum seekers.

In many cases the groups and individuals helping destitute asylum seekers are very poor themselves. I've heard of cases where volunteers, who can't really afford it, have given their own money to people rather than see them sleep on the streets.

In other places, groups set up to campaign for the rights of refugees, to help with their integration and in finding them accommodation and jobs, have ended up becoming, in effect, homeless shelters and soup kitchens.

Living Ghosts

It is in this context that the 'Living Ghosts' campaign is so important.

Yes, we all need to help with the immediate needs of desperate people in desperate situations. But in the same way that food aid to Africa is not the long term answer to the terrible poverty in that continent, so handouts and temporary shelters are not the long term answer to asylum seeker destitution.

The solution is a change of government policy. Destitution should never be used as an instrument to drive people out of the country. So:

- Section 9 should be repealed and asylum-seeking families be treated with dignity;
- Section 4 – or better still, normal levels of NASS support – should be available to asylum seekers, even those at the end of process, and without requiring people to sign up to return;
- And those asylum seekers who can work should be allowed to work.

There is no reason why these changes should act as a so-called 'pull factor'. There is no evidence that people fleeing from their homelands and seeking sanctuary in the UK do so because of our benefit system. They are looking for a place of safety not a council flat.

And if people are found not to need protection here they should be helped to return home or, if necessary, *sent* back home – but only when it is safe to do so. While they remain in the UK, they deserve to be treated with some dignity. It is quite wrong that they should be denied the right to support themselves or to get some support from the state.

And, incidentally, locking people up is not an acceptable alternative. It is not a crime to claim asylum. And it is not a crime to have a claim turned down.

Faith in asylum

So, there is much to do to tackle the injustices of our asylum system. But I feel the tide is running with us.

More and more organisations are joining the fight for a better deal for asylum seekers and refugees. And, as I say, the churches are taking a lead.

It is right that they should do so. The churches of this country, with their great history of social engagement and concern for the poor and excluded can exert a real moral influence. Just look what happened when *Faith in the City* was published in the mid-1980s. Mrs Thatcher's government had to take notice. A 'Faith in Asylum' campaign would, I believe, have a similar impact.

Section 55

Recently I was in the House of Lords to hear the Law Lords make a judgement that effectively killed off the effect of a policy known as Section 55¹ which debarred many people from getting proper housing and support while their asylum claims were being processed. This measure, you will recall, meant asylum seekers who didn't make their claim immediately were denied all support. This was 'beginning of process' destitution as opposed to 'end of process' destitution. And the effect of it was brought home to me on my first day as Chief Executive of the Refugee Council, back in 2003, when I turned up to work and found asylum seekers sleeping on the pavement outside our Brixton offices.

I remember the words of one of those people, Kadir, a 25 year-old man from the Sudan:

"I feel really depressed, unhappy and hopeless. I smell filthy and cannot walk amongst other people. I feel less than human – like an animal. I hate myself. I left my country to escape imprisonment, suffering and death. Here I fear hunger and homelessness."

Kadir and thousands of others like him will have benefited from this victory. But if, as may well have happened, Kadir has had his claim for asylum turned down, he may be facing much the situation this winter. We cannot let such misery and suffering continue. I would go as far as to say that if we do so we will be damaging the moral fabric of our society.

Conclusion

So what does this mean for future action? There are two challenges for churches:

1. To help individuals who are or will become destitute. Many churches are helping already but we will need more assistance still as winter starts to bite. One church to which a Refugee Council office has referred destitute asylum seekers has already run out of sleeping bags to give out and winter has a long way to go yet.
2. To raise their voices in protest against the policies which have caused this destitution in the first place.

¹ The impact of the judgement *Rv Secretary of State ex parte Adam, Limbuela and Tesema [2005] UKHL 66* was to limit the application of section 55 to people who rely on NASS for subsistence only (as opposed to accommodation and subsistence) and to those who make an application for asylum only after a period of some other form of leave has expired.

But why should churches prioritise asylum seekers when they have so much else to worry about?

First, because our common humanity demands it. But there are also clear Biblical steers to give support to those in need.

As Jesus said in Matthew 25:40: "whatever you did for the least of these brothers of mine, you did for me [NIV]".

Or if further encouragement is needed, remember Hebrews 13:2: "Do not forget to entertain strangers, for by so doing some people have entertained angels without knowing it."

It is often said that Christians are called to support the poor and the oppressed and indeed that the Bible demonstrates a clear preference for the poor. This sentiment was expressed beautifully by John Sentamu in his inaugural sermon as Archbishop of York:

"And I would urge people who are judgmental and moralising – as followers of the Prince of Peace, the friend of the poor, the marginalised, the vulnerable – I bid you, by the mercies of God, to go and find friends among them, among the young, among older people, and those in society who are demonised and dehumanised; and stand shoulder to shoulder with them."

*John Sentamu, Archbishop of York
Inaugural sermon on Wednesday 30 November*

I suggest to you that asylum seekers are amongst the most demonised and dehumanised people in our society and it falls to us to step forward and stand shoulder to shoulder with them.

Ends