

# Independent Asylum Commission

CONDUCTING A NATIONWIDE REVIEW OF THE UK ASYLUM SYSTEM

IN ASSOCIATION WITH THE **CITIZEN** ORGANISING FOUNDATION

**PRESS RELEASE**

**18.10.07**

## **"HARSH AND COERCIVE" POLICY OF DESTITUTION FORCES ASYLUM SEEKERS TO SLEEP ROUGH, RAID BINS, OR WORK ILLEGALLY TO SURVIVE, CITIZENS' ENQUIRY TOLD**

A national citizens' enquiry into the UK asylum system this week heard evidence of the desperate measures taken by asylum seekers denied benefits and prevented from working under asylum rules.

On October 17<sup>th</sup> the Independent Asylum Commission held its sixth public hearing at Manchester Town Hall. The hearing focused on the adequacy of asylum support and the impact of destitution on asylum seekers and communities in the North West.

Five of the Commissioners chosen to lead the enquiry, including former High Court judge Sir John Waite, President of the Association of Muslim Lawyers Ifath Nawaz, Bishop Pat Lynch, and Canon Professor Nick Sagovsky of Westminster Abbey heard testimony from a dozen witnesses including local government representatives, a GP working with destitute asylum seekers, Save the Children, Refugee Action, a local solicitor, and regional refugee support organisations.

Local asylum seekers and refugees also gave evidence and talked from their own experiences about destitution and asylum support.

The hearing began with a presentation by Nigel Rose, head of Refugee Action's Manchester office. Mr Rose explained why asylum seekers found themselves destitute, often through no fault of their own.

Mr Rose said:

"Sometimes when people arrive in the UK on a Friday at Manchester airport, by the time they get to the asylum screening unit at Liverpool they find the office shut and are unable to access any support. So they begin their time in the UK with three nights of destitution."

Dave Smith of the Boaz Trust, a local project offering support to destitute asylum seekers, told Commissioners that there is an even bigger issue of destitution for asylum seekers who have had their asylum claims refused but have not left the UK. The Boaz Trust has four hundred and fifty cases of destitute refused asylum seekers registered in the Greater Manchester area.

Mr Smith said:

"In one case we had to help a lady who was nine months pregnant and had been released from detention with nowhere to go. There was no support for her from the state because of her status as a refused asylum seeker, and so we had to find her accommodation quickly. Cases like this are not uncommon."

Mr Smith also revealed the impact of destitution on the asylum seekers themselves, forced to sleep rough at railway stations and beg for the basics. They experienced a deterioration in mental health, a loss of hope leading to frequent suicide attempts, and the loss of a normal life pattern.

The impact of destitution on asylum seekers was obvious in the testimony of Afshin Azizian, a refused asylum seeker from Iran who has been in the UK for eleven years. The Home Office took five years to assess his case and then refused him asylum. Unable to work and preferring destitution in the UK to the threat of persecution in Iran, Afshin lived rough, scavenging through rubbish bins and sleeping in a launderette. He suffered mental health problems and despite twice attempting suicide was subsequently released with no-one taking responsibility for his welfare.

Afshin said:

"I lost my whole adult life in misery in this country. I was not poor in Iran – I did not come here for your money but I was seeking refuge. I ask those in the Home Office to think, if you were to spend one day in my shoes how would you like to be treated?"

Ruth Heatley, a solicitor from the Greater Manchester Immigration Advice Unit advised the Commissioners to recognise destitution as a deliberate tool of government policy for forcing refused asylum seekers to leave the UK. She also criticised the provision of Section 4 support for refused asylum seekers who agree to voluntarily leave the UK, saying that the minimal accommodation and subsistence was designed for short periods whereas people found themselves stuck on it for months, sometimes years.

Ms Heatley said:

"The solution is that asylum seekers should receive full asylum support right up to the point that they leave the UK – Section 4 should be abolished. All asylum seekers should also be allowed to work."

Peter Olnier of the No Recourse to Public Funds Network, a group representing local authorities who support destitute asylum seekers with additional welfare needs, echoed the call for the Government to provide support for refused asylum seekers.

Mr Olnier, who works at Birmingham City Council, said:

"The question that the Border and Immigration Agency must ask itself is why are so many people choosing to live in destitution rather than return to their home country? The solution is quite straightforward. We believe that the Home Office should either reimburse local authorities for the costs they incur in supporting refused asylum seekers, or provide support centrally for asylum seekers until they leave the country, rather than until the point that their claim is turned down."

Flores Sukula, a 21-year old from the Democratic Republic of Congo, informed Commissioners of the impact that destitution had on her and her family after they had fled oppression in their homeland. The Sukulas were subject to the Government's Section 9 pilot which withdrew support from families of refused asylum seekers and Flores recalled that the family received a letter from the Home Office that threatened to take the children into care unless the family agreed to leave the UK.

Ms Sukula said:

"We came here to be protected and now they want to send us back to die – if we go back to DRC our life will be over. When we were made subject to Section 9 we were eight people with nothing to live on. For two years we lived on £30 a week donated by local supporters. We worried all the time that there would be a knock at the door in the night and we would be removed. I lost 11 kilos in that period. I didn't feel like a human being."

Dr Angela Burnett, a GP, reflected on the impact of destitution and the restriction of access to secondary healthcare on refused asylum seekers, alleging that torture survivors were being denied vital treatment.

Dr Burnett said:

"A forty year-old African lady, the sole survivor of a massacre in her village who was then detained, beaten and multiply raped. When I met her she had been living on the streets in the UK for two years, severely anaemic due to a restricted diet, and having to walk approximately ten miles to report to the Home Office every week. Profoundly depressed and with symptoms of epilepsy, I would normally have referred her to hospital, but because she would have been faced with a bill she could not pay, a torture survivor was denied vital treatment."

Miranda Kaunang of Save the Children described the impact of destitution on young asylum seekers as "harsh and coercive". In recent years the children's charity had allocated 88 destitution payments to young people such as Mohamed, badly advised by his legal representative and now sleeping rough – he had been attacked on the streets and now in poor mental health."

Ms Kaunang said:

"These young people face extreme states of deprivation. They go without food, walk long distances to report to the Home Office, live in fear of the future and are vulnerable to sexual abuse and exploitation."

Halimo, a seventy year old asylum seeker from Somalia, was too ill to attend the hearing but her written statement read out at the hearing related how she had been beaten and attacked in Somalia and could not understand the reason for the refusal of her asylum claim. She has since been reliant on the hospitality of friends and has spent nine months sleeping on a friend's couch: "I felt like a lost person, moving from place to place. I suffer from arthritis and a serious gastric condition – in that state it is very difficult to live on vouchers worth just £35 a week."

Selam, a refugee from Ethiopia, informed the Commissioners that she had been made destitute because of poor legal representation, before finally having her refugee status granted. She was forced to change her solicitor seven times in two years, and had her claim turned down because the letter informing of her appeal date was sent to the wrong address. Now destitute, she relied on charity before seeing no alternative other than to work illegally. She was caught working illegally for low wages in a pizza factory and was imprisoned for four months.

"I couldn't go on living in destitution – I have no words to describe what life was like for me at that time. I tried to kill myself so many times – only when I was pregnant could I stop taking pills."

Ibrahim, a refugee from Darfur, also experienced a period of destitution before the Home Office belatedly recognised his claim. He recalled how he had slept rough in train and tram stations in Manchester after his benefits were cut off, avoiding the police and drunks who would harass him. Too ashamed to beg and living on £5 a week, he spent £1.50 to travel to a drop-in centre - leaving him with £3.50 on which to live.

Ibrahim said:

"The Home Office said I should just return to Sudan. They detained me and took me to the Sudanese Embassy to get travel documents – effectively delivering me into the hands of the people who wanted to persecute me. I chose to be destitute here rather than face death in Sudan."

Sir John Waite, Co-chair of the Independent Asylum Commission, said:

"At this sixth hearing of the Commission, we learned first-hand of the human realities behind destitution. The testimonies we heard were heartfelt and presented a very moving and disturbing picture of the situation of refused asylum seekers in the UK. Destitution is an issue that my fellow Commissioners and I must get to grips with before we publish our recommendations for reform of the asylum system in Spring 2008."

Commission Co-ordinator, Jonathan Cox, said:

"The Commission was impressed by the incredibly powerful testimony heard in Manchester. We have discovered several major issues that need resolving and that Commissioners will bear in mind when framing our recommendations. We will be doing our utmost to listen to all sides of the debate before we publish our report and recommendations next year, and so I urge people to write to and email us with their views on this issue."

**For further details contact Jonathan Cox, IAC Co-ordinator: 07919 484066.**

**Notes for editors:**

- The Independent Asylum Commission is conducting a nationwide review of the UK asylum system.
  - The IAC is independent of government and the voluntary sector, and is accountable to citizens.
  - The Commission is keen to hear from any individual or organization who is concerned about the asylum system – from those who believe it is too generous to those who believe it is not providing adequate protection for refugees. Information on how to submit evidence can be found at [www.independentasylumcommission.org.uk](http://www.independentasylumcommission.org.uk)
- Photographs of the North West Hearing are available on request.

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