

Asylum News

2nd anniversary of *Charter of Rights of Women Seeking Asylum*

When the *Charter of Rights of Women Seeking Asylum* was published in June 2008, we had high hopes that its demand for a genuinely gender-sensitive asylum system would attract attention and support. Two years on – and 211 endorsements later – we have

released a detailed report in celebration of the influence that the *Charter* has enjoyed, and to plan for continuing its

groundbreaking work.

Charter of Rights of Women Seeking Asylum 2 years on: impacts and actions was published in July, and sent to the *Charter*'s hundreds of endorsers and supporters, as well as to politicians, journalists and the UK Border Agency. The report, which was written by Asylum Aid's Debora Singer and Caroline Chandler, describes the extraordinary quantity and quality of the work carried out by endorsers towards achieving the *Charter*'s aims, and the variety of positive ways in which this work has impacted upon the asylum debate in the UK. As we mark the 2nd anniversary of the *Charter*, the report also emphasises

the implementation of two of the *Charter*'s key recommendations: the introduction of childcare facilities in two more UKBA regions; and the appointment of a Gender Champion from within the senior ranks of the UKBA, to take an overview of issues facing women seeking asylum.

The report has already received warm feedback from many of Asylum Aid's colleagues and supporters, but the real measure of the *Charter*'s success lies in continuing to improve the situation for women seeking asylum in the UK. As part of this ongoing process, Asylum Aid met earlier in the year with Matthew Coats, the new Gender Champion. The discussion was very encouraging, and Matthew stressed that he was keen to work with us closely, and to

make progress on some of our shared aims. Most promisingly, he agreed to enter into ongoing operational engagement with Asylum Aid, and we will continue to meet with him during the months ahead to discuss the progress made by the UKBA, and the importance of the work that needs to be done.

The anniversary report, like the meeting with new Gender Champion, is a timely reminder of the achievements of the *Charter* and its endorsers. However, it is also just one more step in the campaign that Asylum Aid has been pursuing for more than a decade, towards ensuring that women can seek protection in the UK with confidence that they will be considered for asylum through a system that is respectful, fair, and genuinely sensitive to the needs of women.

Asylum Aid staff and supporters raised more than £5,500 by completing a 10km sponsored walk through London in May



Refugee Week

Thousands of people visited the Celebrating Sanctuary festival on London's South Bank on 13th June, to mark the beginning of Refugee Week 2010. Refugee Week is held each year to remember the remarkable contribution that refugees have made, and continue to make, in the UK. To kick-start the week, dozens of charities, community groups and refugee organisations hosted stalls on the bank of the Thames, alongside a vast array of food outlets from around the world. Musicians, poets and dancers performed on the main stage.



Asylum Aid at Celebrating Sanctuary

Asylum Aid attended the celebrations for the 4th year in succession, and entertained questions about our work from all those who called by our stall. This was a wonderful opportunity to discuss both the legal work and the campaigns in which we are engaged, and to listen to further suggestions and recommendations about how our work might continue.

New Home Office rules on fresh claims: impractical and unsafe

Imagine a situation where you have fled torture abroad, and applied for asylum so that you can live safely in the UK. Your application was refused, but the trauma you had faced at home was so great that you hadn't felt able to discuss with anyone some of the abuse that you suffered, not even your solicitor. It isn't safe for you to go back home, but the UK Border Agency hasn't yet heard details of everything you have gone through.

With the help of friends and legal representatives, you are finally able to talk about the violations you suffered. You provide, for the first time, a full account of everything you have been through. This is crucial information, which you desperately need to present to the UKBA for consideration.

In the past, you would have been able to post or fax this fresh claim for asylum to the UKBA, or your legal representative could have done so on your behalf. But the guidance on this has now changed.

Asylum seekers who need to submit fresh claims face new rules that are impractical and potentially dangerous.

Since October 2009, asylum seekers who first claimed protection before March 2007 and have exhausted their right of appeal have been required to attend UKBA offices in Liverpool in person if they want to submit a fresh claim. Appointments to do so must be booked in advance over the telephone, and the UKBA will not meet any costs incurred for travel or accommodation. The serious problems caused by this system are becoming apparent.

Many of the people affected by the change will be destitute, but these rules require asylum seekers to fund round-trips sometimes the length of the country. Some will have enough money, or will be helped by friends; others simply won't be able to make the journey, and therefore information that is potentially vital to their case will go unconsidered. Even for those who can travel, an early morning appointment will often mean travelling overnight, an intimidating prospect for vulnerable asylum seekers and for those who have to make the journey alone. Once at the Liverpool office, applicants may face the kind of chaotic scenes described by the Chief Inspector of the UKBA in his report of August last year.

The new system has been introduced as part of the UKBA's efforts to clear the long backlog of unresolved asylum claims, but it was implemented after very limited consultation, and threatens to place even more hurdles and hazards between people seeking protection and justice. This is an area of such concern that legal challenges are being considered for the future.

Colin Firth speaks out for women seeking asylum

Writing this month on the website Open Democracy, actor Colin Firth raised his concerns about the asylum system, and directed readers to the work of Asylum Aid's Women's Project. He wrote:

Many women seeking asylum have been raped. Despite strong evidence that women do not disclose sexual violence to a male stranger, especially in front of male relatives, this is frequently the situation they find themselves in at their initial asylum interview. When, later, they disclose rape and sexual violence, they are disbelieved.

The Director's Note By Maurice Wren

Does the new Government offer a genuine opportunity to recast our approach to asylum in the UK? That's what many of us, weary of the



previous administration's fixation with scapegoating and deterrence, have been pondering since the election.

The first signs have been encouraging. We've now got an Immigration Minister who accepts that arbitrary targets generate perverse and negative outcomes, and the commitment to end child detention, together with the decision to close the family unit at Yarl's Wood, certainly reflect a

different 'mood music' emanating from the Minister's office.

Likewise, his emphasis on the value of 'frontloading' as a means of getting more decisions right first time and helping rebuild trust in the system. These are positive moves, particularly for those of us who've been consistently banging the early legal representation drum. 'Solihull' style early representation may not be the whole answer, but giving people good legal representation is the only way to ensure that their protection claims will, at least, be taken seriously.

Before we get too carried away, though, this is also a Minister who defends the use of detention in general and the detained fast track in particular, and who, we can be sure,

will be every bit as much in thrall to the popular media as was his Labour predecessor. We also need to be realistic about the impact of the forthcoming cuts that will test the Minister's best reforming intentions. With the asylum and legal aid budgets both in line for swingeing cuts, it is difficult to see how the doves within Government and the UKBA stand much chance of winning out against the hawks.

Our job, backed by the evidence generated by the Solihull Pilot and the complementary 'Justice at Risk' research project, will be to continue to lobby hard for early access to good legal representation as the quickest way to a fairer asylum system.

The Solihull Pilot evaluation report and the Justice at Risk research study are available on the Asylum Aid website

Supreme Court rules in favour of gay asylum seekers

As reported in *Asylum News* 39, Asylum Aid has recently represented an increasing number of clients who fear persecution in their countries of origin on the grounds of their sexual orientation. This is a controversial and developing area of asylum law, and was the subject of a groundbreaking judgment from the Supreme Court last month.

The judgment, which attracted a massive level of media attention, means that the Secretary of State can no longer argue that gay and lesbian asylum seekers could leave the country and avoid persecution at home by "acting discreetly". Instead, the Supreme

Court recognised that any individual had the right to express openly their identity, and should not be compelled to hide their identity by being discreet.

This is an extremely positive decision, and came at a time when the rights of gay and lesbian asylum seekers has come increasingly under scrutiny. In May, the gay rights lobby group Stonewall published *No Going Back*, which described how the asylum system treats many gay and lesbian asylum seekers. Most shockingly, Stonewall found that UKBA case-owners don't receive any training or guidance on how to interview gay asylum seekers, nor on how to make decisions arising from these interviews.

No Going Back also described the inadequacy of some of the

questions asked at interview, which showed limited understanding of the type of persecution that many gay people may face, or the complex ways in which sexual identity might be expressed. Many applicants felt routinely disbelieved, and even case-owners displayed little confidence in the system.

It is also worrying that cases are often sent to the detained fast track. The fast track is intended only for those applications which can be resolved quickly, even though these cases can be extremely complex. Under the fast track system, the applicant is immediately detained.

In explicitly defending the right to protection of those persecuted for their sexual identity, the Supreme Court judgment demonstrates important progress.

Asylum Aid campaign Highly Commended at Charity Awards 2010

There were further reasons to celebrate the second anniversary of the *Charter of Rights of Women Seeking Asylum* when it was Highly Commended at this year's prestigious Charity Awards. The awards ceremony was held in June, where judges praised the *Charter* for its work to create a fuller appreciation of "the unique and complex issues facing women seeking asylum".



The judges also made special mention of the Every Single Woman campaign derived from the *Charter*, which drew powerful contrasts between the treatment of women in the asylum system and the criminal justice system.

An easy way to raise money for Asylum Aid

Asylum Aid has registered with easyfundraising.org.uk, so supporters can help raise money while shopping online.

Easyfundraising has teamed up with dozens of the most popular online retailers – including Amazon, WHSmiths and Direct Line insurance – who have agreed to make a donation to the charity of your choice every time you buy something through their websites.

It is every bit as simple as it sounds, and there is no cost either to you or to Asylum Aid.

You can find out more and register at www.easyfundraising.org.uk

New Staff

Christel Querton joined Asylum Aid in March 2010, to work as the Legal Analyst on the Women's Project. Christel previously worked at Wilson & Co. Solicitors, where she represented mainly women asylum seekers and other vulnerable clients.



In the same month, Chris Eades started work as our Children's Caseworker. Chris has extensive experience working on human rights, including at Refugee and Migrant Justice and for the Centre for Crime and Justice Studies think-tank.



Russell Hargrave began work as Asylum Aid's Communications and Public Affairs Officer in May. Prior to this, he worked for several years as a Constituency Caseworker for his local MP.



Join us for our 20th anniversary celebrations

Asylum Aid has been working to protect asylum rights for twenty years, and on the evening of **October 7th** we will be holding a party at Camden Arts Centre for the colleagues and friends with whom we have worked over the last two decades.

We would welcome any of our supporters who wish to attend – please RSVP: events@asylumaid.org.uk.

Since 1990, we have helped 30,000 people to receive a fair hearing in the UK. This simply wouldn't have been possible without a little help from our friends.

Asylum Aid Advice Line

0207 354 9264

Open on:

Mondays
2.00 pm - 4:30pm
Thursdays
10.00 am - 12:30pm

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