

Voice of the Left

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WELCOME TO EUROPE

Revealed: the shameful way
we treat asylum seekers



NEIL HODGE: HOME OFFICE'S STARVATION STRATEGY
CARY GEE: PARADISE LOST IN TENERIFE

Britain's shame: asylum equals destitution

TEN years ago, most *Tribune* readers would probably have ridiculed the idea that any Labour Government would willingly and directly contribute to the poverty and destitution of thousands of people as a consequence of its own alarmist and racist immigration policy. How times change.

As a result of Labour's persistent targeting of asylum seekers – of which Britain receives the fewest applications in western Europe after Denmark (in terms of the number of asylum applications per 1000 inhabitants) and is ranked 18th in the world, according to a study released by the United Nations High Commissioner for Refugees in May this year – the number of successful asylum applications has been cut, as has their discretionary support.

At the end of May, Tony Blair's Government also boasted that the removal of failed asylum seekers had reached a record high. As a consequence, "failed" asylum

seekers and those undergoing appeal have been turfed out of their temporary accommodation and are living on the streets, unable to work or claim any kind of assistance. Thousands are sustained purely by charitable donations, although these, unfortunately, are meagre.

Under paragraph 7a of Schedule 3 to the Nationality, Immigration and Asylum Act 2002, as inserted by Section 9 Asylum and Immigration (Treatment of Claimants Act 2004), a "failed asylum seeker" is defined as a person whom, within three weeks of his claim for asylum has been rejected, "has failed, without reasonable excuse, to take reasonable steps either to leave the UK voluntarily or to place himself in a position in which he is able to leave the UK voluntarily."

They are, therefore, ineligible to receive any further support. Even those who appeal these decisions may have any existing support

It seems that people seeking sanctuary in this country are treated like the lowest of the low on a daily basis. **Neil Hodge** reports

taken away from them, thereby plunging them into poverty. Further, finding work in order to support themselves would be in breach of the Immigration Act and jeopardise any asylum application.

Recent case law ought to have clarified the issue of financial support for asylum seekers. However, asylum and refugee action groups throughout Britain say that the National Asylum Support Service (NASS), situated within the Immigration and Nationality Directorate at the Home Office, frequently ignores these rulings.

Under Section 55 of the Nationality, Immigration and Asylum Act (2002), NASS provides basic support for asylum seekers who fulfil "certain criteria". That means support is not mandatory. To be entitled for consideration of support, applicants have to be able to show they have applied for asylum and that they did so "as soon as reasonably practicable" after arrival in this country – taken to mean within three days – as well as prove that they have no access to alternative support. Provision of night shelter, food and basic amenities are considered to be basic means of support.

When asylum seekers have been given a negative decision, they may be eligible for support under Section 4 of the Act. This includes accommodation and meals provided by NASS, but would not normally include extra cash support.

These basic provisions ought to have been secured when a Court of Appeal judgement in 2004 found that denial of support was in breach of Article 3 of the European Convention on Human Rights which states that "no one shall be subjected to torture or to inhuman or degrading treatment or punishment".

The Home Office challenged the ruling, only to find in November 2005 that the Appeal Court decision was upheld by the Law Lords. It is, therefore, the legal duty in Britain for the Government to provide support for asylum seekers until their

application is denied. However, NASS still assesses support applications according to the Section 55 criteria.

In March, the Nottingham and Nottinghamshire Refugee Forum (NNRF) issued a challenge as part of its "Living Ghosts" campaign for people to attempt to live on a £5 Asda food parcel and £2.50 expenses for a single week. This is the budget per person that the Forum allots each week for those people whose asylum applications have failed, or who are not entitled to financial support, accommodation, or any form of health care as a result of Labour's draconian asylum policies.

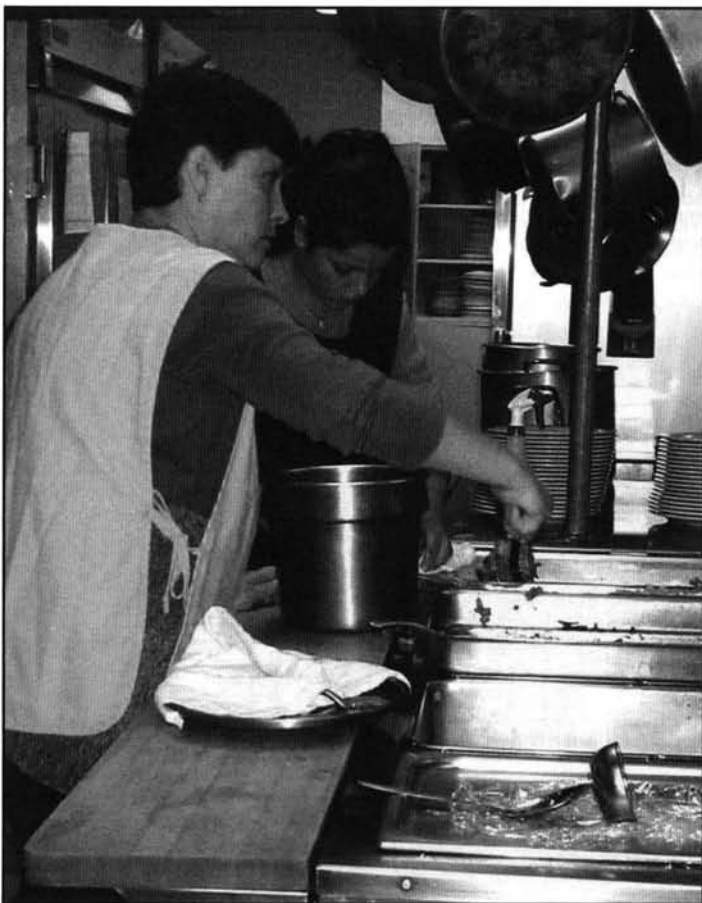
I and my family took the challenge. It was only possible to attempt it if four people clubbed their funds together and bought in bulk. We managed, but not comfortably, and the prospect of facing such a diet every week for year on year – like an Iraqi Kurdish refugee I've known for some years has done – does not appeal.

The centre has people from 25 nationalities returning each week for handouts, from countries such as Afghanistan, Angola, Eritrea, Uganda, Sudan, Iran and Zimbabwe. Most of those coming for aid are from the Congo. The next largest group are from Iran. At present, the forum is providing destitution food parcels for around 70-80 people each Saturday. At the same period last year, only 24 people came.

Most of the food is bought at the local supermarket by a group of 10-15 volunteers who are forced to buy the supermarket's economy value produce to cope with growing numbers of people asking for food parcels and a budget that is already at stretching point.

One of the organisers says that, because the food purchased is already so cheaply priced, the supermarket is unable – or unwilling – to offer free delivery for the bulk produce, or provide any kind of discount.

Each Saturday costs the NNRF



Asylum seekers are forced to live on a miserable diet

£850. It spends £350 per week on food for around 80 people, and distributes another £500 a week, supposed to be in denominations of £2.50 to all who attend, but very often it is higher. Its work is funded solely through charitable donations.

The choices that asylum seekers have to pick their weekly diet are miserable, but the forum does the best it can. Each asylum seeker receives a one-litre carton of fruit juice, a one-litre carton of UHT milk, a 50-gram homemade bag of sugar and a small bag of salt. If stocks are available, each person also receives two fresh carrots, a clove of garlic and a chilli, two or three onions and potatoes, an apple, an orange and tomato, a toilet roll, a handmade bag of washing-powder, together with a choice of essential toiletries such as soap, toothpaste and sanitary towels.

With regards to the remaining items, asylum seekers have to

choose between what they would like and what they need. They can choose between a 1 kilogram bag of pasta or rice, as well as choose a 20 pence pack of 10 fish fingers or a box of cheese triangles. They can also choose a tin of tuna chunks or a tin of sardines in tomato sauce (sardines in oil are up to three times the price). They can choose between 40 tea bags or a jar of instant coffee, as well as take any three 8p tins of peas, peach slices, red kidney beans or sweet corn. They can also choose any three items from the following list: half a dozen eggs; a jar of mayonnaise; fruit jam; hot chocolate; cooking oil; porridge oats; ketchup; margarine; wheat biscuits; toothbrush and toothpaste; and a loaf of

bread.

Cooking oil is always the first to go and there is always a shortage. The tinned foods are popular with the men, simply because the majority have no experience of cooking for themselves. The women choose

a healthier balance – or as healthy as it can get with a constant diet of tinned produce that costs no more than 10p a can. One woman who collects the food

parcels was eight months pregnant when I last saw her. She received no financial support and was not eligible for housing assistance.

The centre has a policy that it never turns anyone away, but one of the co-ordinators says that he has noticed a definite increase in the

number of families – who should automatically qualify for financial assistance – coming to receive food parcels. Those who come without signed authorisation are sent to the back of the queue, but they do not go without – at least, not at the moment.

On a noticeboard in the hall is a sheet of paper giving details of an open squat “community centre” where asylum seekers can go between 2pm and 7pm on Tuesday, Thursdays, and Saturdays and get a free vegetarian meal at 6pm, as well as free clothes, free Internet access and free tea and coffee.

It is a sad indictment of Blair’s Government that those with nothing are more willing to provide support than a country that is recognised as one of the world’s leading economies and whose Government departments are responsible for revenue and expenditure each year of around £800 billion.

Failed asylum seekers are living on the streets

Act in the spirit of this country’s humanity

Dick Barbor-Might urges the Home Office to think again about deporting a refugee from Pinochet’s terror who has lived in Britain for 30 years

ON May 1, early in the morning, 30 police officers arrived at Ernesto Leal’s home to serve him with a deportation order and take him off to Belmarsh maximum security prison. The Leal family are Chilean refugees who were given “indefinite leave to remain” in 1977, when Augusto Pinochet’s terror was at its height. They have appealed against the deportation order that, bizarrely, threatened Leal with being sent off to Jamaica, a country with which the family have no connection.

Ernesto Leal’s original offence, GBH with intent, was a serious one. His family do not dispute this but argue that he served his time and met all probation conditions. Further, the judge at his trial made no mention of deportation. This was Leal’s first and only offence. He is not an absconder and was rebuilding his life with his partner in the home that they share in Stoke Newington in London.

The appeal against the deportation was scheduled for June 1 but has been postponed because the Home Office transferred Ernesto Leal to a prison in Manchester. Diane Abbott, his MP has intervened on his behalf and sympathetic MPs have signed an Early Day Motion (EDM 2169) asking the Home Office to recognise that Ernesto Leal does not pose a

threat and that he should be allowed to remain in this country.

Ernesto Leal’s father, also called Ernesto, is consumed with anxiety that his son will be deported back to Chile where the family no longer has any close ties.

Chile had its own September 11 in 1973 when Pinochet overthrew the democratically-elected Government of Salvador Allende. The coup instigators used a politically-motivated lorry owners’ strike and withheld food supplies so as to cause maximum damage to the economy. Allende and his supporters, including Ernesto senior, kept things going by distributing food, but this made the distributors targets for those who took their revenge once the military had seized power.

At the time of the coup, the young Ernesto was eight years old and his brother and two sisters were even younger. For a time, their father managed to escape the military sweeps and checkpoints. But eventually his luck ran out. After a night of torture, someone who knew where the family was living revealed their whereabouts. His sons watched as Ernesto senior was arrested at dawn and led out of the house. It was light enough to see him tied up and forced to lie down in the back of a white pickup truck alongside another hooded figure.



ERNESTO LEAL’S family fled Pinochet’s dictatorship nearly 30 years ago

Her children are convinced that it was only through her courage and resource of Sonia, their mother, that the family survived unbroken and that her husband escaped the worst fate of Pinochet’s victims, that of “disappearance”: the man or woman never seen again, the body buried in an unmarked grave in a desert or dropped into the sea by a military helicopter.

What it must have been like for the Leal children? Juan Leal, the younger Ernesto’s brother, told me that, when he was a boy, he witnessed a fierce argument in the street between a young worker and a soldier. He remembers only too well the moment when the soldier lost patience and fired a machine gun burst into the young man.

Thanks to a Labour Government, 3,000 Chileans, the Leal family among them, escaped Pinochet’s nightmare and found secure asylum in Britain. This country has an honourable record of providing refuge.

So the Home Office should think again about deporting Ernesto Leal. He lapsed once and seriously. But he has served his time and is no threat to the society where he has lived for nearly 30 years. He worries, as do all the family, about his sick father who still bears the marks of the torture.

The Leal family members are appealing for support and for more MPs’ signatures on EDM 2169. Their website is at <http://www.friendsofbernesto.org.uk>