

How to... Win the argument on destitution



With any campaign around supporting asylum seekers you are likely to encounter a certain amount of negativity, indifference or even hostility. This is even more likely with a focus on refused asylum seekers. You need to be prepared to argue your point well without getting overly frustrated. The issue is not simple, and you'll need to be patient when explaining about the problems faced by people refused asylum. Make sure you read the *STAR Campaign Info Sheet* and the reports on destitution available on the STAR website. But to help you, some typical comments you may get in reaction to the campaign are shown below, along with suggested ways to respond:

“They are FAILED asylum seekers. They have illegally entered Britain and fraudulently claimed asylum. Why should we support them?”

- 1) The government sometimes gets it wrong. There is significant evidence that many asylum seekers do not receive a full and fair hearing of their claim. Decision making in relation to some nationalities is particularly poor. For example, in 2006, 47% of Somali nationals, 44% of Eritreans and 41% of Zimbabweans who appealed had their refusals overturned (Home Office, Asylum Statistics, Fourth Quarter 2006). The Home Office accepts that the asylum determination process has not been 'fit for purpose' and has recently introduced a new process explicitly tasked with improving the quality of decision-making. Yet it still expects those who were refused under the old, discredited model to accept the outcome of their case. Likewise, due to the inadequacy of legal aid funding for asylum cases, many people are simply unable to find legal representation to help them through what can be a fiercely adversarial process.
- 2) Even if a person is fairly refused asylum, it does not automatically follow that their claim for asylum is “fraudulent” or “bogus”. A person may have fled a country in conflict and experienced violence, torture, rape, or loss of family members, but still be refused asylum because they don't meet the narrow and strict criteria given in the 1951 Refugee Convention. For example, many women have fled here to escape from the threat of female genital mutilation. Yet until very recently the UK refused to accept that as a valid reason for seeking asylum, because it was debated whether young women being persecuted in this way formed a ‘particular social group’. Women are now being granted asylum if they face female genital mutilation. But this does not mean that before this reason was accepted these women were lying, or that their case was “fraudulent” in any way. Remember everyone has the right to claim asylum and there is no such thing as a ‘bogus’ claim.
- 3) Many people seeking asylum do enter the UK illegally, but their right to claim asylum is still protected because they simply have no other way to enter (they may have needed false documents to escape their country).

“If they've been refused then they should just be deported since they have no right to be here”

- 1) It is a mistake to believe that any person refused asylum can simply be removed immediately. In practice it is extremely difficult to forcibly remove people to countries where there may be serious safety issues, uncooperative governments, difficulties in obtaining travel documents or unreliable travel routes (e.g. no operational airport). For example, Amnesty International discovered that there were more than 100 Eritreans who could not return because their embassy would not issue them with travel documents – yet the Government will not acknowledge this and grant them with temporary leave accordingly. In addition, the Government's own policy of denying support makes the removal process far more difficult since it means that most people have no contact at all with government agencies. Even though the government is removing people faster than ever before, at the present rate it would take 14 years to clear the backlog, at a cost of almost £3.2 billion – enough to build 12 new NHS hospitals.
- 2) The vast majority just want to return home when it is safe to do so. Work by the Hotham

Mission in Australia, for example, has shown that non-coercive programmes which offer voluntary repatriation can actually result in more people returning home than tough, punitive systems which simply drive people away from the authorities.

“Allowing refused asylum seekers to work will just take jobs away from UK citizens and increase the burden on the tax payer by attracting greater numbers of bogus asylum seekers.”

- 1) There is no evidence that asylum seekers would take work from local communities. Many employers report the need for more workers willing to do menial jobs, and many have specialist skills.
- 2) Conditions can be attached to any permission to work, such as being temporary and revocable, so they need not have the same rights as citizens.
- 3) In contrast to being a burden on the ‘tax payer’, allowing refused asylum seekers to work while they remain in the UK would be far more cost effective and fairer on host communities in allowing them to contribute like other citizens.
- 4) In no sense would providing this temporary license to work for people who have been refused asylum (but cannot leave through no fault of their own) make it more likely for someone to claim asylum in the UK.