



## Liberal Democrats for Seekers of Sanctuary

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President Lord Roger Roberts of Llandudno

## LD4SOS JUNE 2021 NEWSLETTER

### GOVERNMENT'S NEW PLAN FOR IMMIGRATION

The Home Office and Priti Patel have set out further details of their plans to change the asylum system. A useful [analysis](#) of this additional document comes from Free Movement who have also provided a resource on the legal and practical differences between refugee and [humanitarian protection](#). Individuals and organisations across the UK continue to state their opposition to the Government's proposals, which effectively tear down the 1951 Geneva [Convention](#). Critics include the UN Refugee Agency UNHCR, church leaders and academics. Many have been brought together in the UK by [Together with Refugees](#).

### TOGETHER WITH REFUGEES

The media launch of Together with Refugees achieved an amazing coverage, 183 or more print/online with around 15 in national media. The coalition, which has now signed up over 200 organisations and individuals, is calling for a kinder, fairer and more effective asylum system, making very effective use of social media. As well as powerful videos and first-hand accounts, it has recently published research highlighting that two in every three women and children accepted as refugees now in the UK would be turned away in future under the proposed new rules. The campaign's [polling](#) also revealed that 64% of Britons agree that the UK should protect refugees fleeing war and persecution. Together with Refugees encouraged members to take part in Refugee Week activities (14 to 20 June) and are then planning mobilisation action with local groups. Actions are being planned around the 70<sup>th</sup> anniversary of the UN Convention in late July, and activities will run through to the end of the year.

You can find out more about the coalition and how to [join](#) it on the Together with Refugees website.

### GOOD NEWS (FOR NOW) – HOME OFFICE DROPS PLAN TO EVICT MIGRANTS

At the end of May the Guardian noticed that the Home Office had announced it had [reversed its plan](#) to evict thousands of refused asylum seekers with immediate effect, following concerns that this could increase the spread of COVID-19 and discriminate against people of colour who would be disproportionately affected by this policy. But the evictions policy will be considered again when England reaches step 4 in the pandemic which, at the time of writing, was scheduled for 19 July.

### MEANTIME THE HUMAN COSTS OF THE HOSTILE ENVIRONMENT CONTINUE

The story of one Syrian family from Mosul is told in [the Metro](#). The UK is fortunate to have been chosen by this family, who want nothing better than to contribute to Britain and themselves by starting up their own business. Instead the Home Office has kept them in limbo with no decision, forcing them to live on poverty funding from the taxpayer when they could be earning their own living. It is Liberal Democrat policy to take Immigration decisions away from the Home Office and to allow new arrivals to work when they are able to do so.

## **REFUGEE WEEK (14-20 June)**

Liberal Democrat Home Affairs Spokesperson Alistair Carmichael has tabled a motion in Parliament calling for safe and legal routes for refugees to come to the UK, a commitment to resettle 10,000 refugees each year, and over the next ten years a further 10,000 unaccompanied refugee children from elsewhere in Europe. The full text of the motion can be found [here](#).

## **NAPIER BARRACKS – HOME OFFICE ACTS ILLEGALLY AGAIN!**

Yet again the Home Office has been caught breaking the law. The judge [ruled](#) that the barracks provided inadequate, unsafe accommodation. The decision to send people to the barracks went against all COVID guidance, and Priti Patel had full knowledge that it would cause an outbreak. The ruling also found that residents of Napier Barracks were unlawfully detained there.

This ruling came after repeated warnings from senior public health officials, including Public Health England (PHE), that the site could never be made COVID-secure. As Satbir Singh, the Chief Executive of the Joint Council for the Welfare of Immigrants (JCWI), said:

*"Today's judgment proves that this Government not only ignores its own rules, but that it is reckless with people's lives. Asylum seekers were unlawfully detained in appalling, crowded conditions. This was against all COVID guidance and Priti Patel had full knowledge that it would cause an outbreak".*

In his ruling Justice Linden said he did not accept that the accommodation "was adequate for the health of the claimants", and the Home Office's view that it was adequate "was [irrational](#)". Lives were put at risk in order to save money. He also criticised the "detention-like" setting for the men, noting that they were supposed to be living there voluntarily pending the determination of their claims.

We have previously reported on the appalling conditions at both Napier and Penally Barracks and were horrified that the Government's New Plan for Immigration document proposed "reception centres" of newly arrived asylum seekers, which would almost certainly be based on this model. Perhaps this judgement will remind the Home Office not only that we all have to obey the law but that people who come here seeking sanctuary should be treated with dignity.

The campaign to close the barracks continues and in May [Close the Camps UK](#) held a Festival of Solidarity where more than 200 campaigners from different local groups came together to call for the barracks to close. You can still email your MP to ask them to support the call to close the barracks through [Refugee Action's website](#). Also please share the campaign using the hashtag #CloseTheBarracks.

The judgement also confirms the wisdom of our Alistair Carmichael MP's call in a recent Commons debate for a [formal independent inspection regime](#) for asylum accommodation.

## **OPPOSITION TO PLANNED HASSOCKFIELD IMMIGRATION REMOVAL CENTRE**

National and local opposition to plans for a new detention centre for women at Hassockfield continues. Over 200 people from across North East England have written to the Home

Secretary to express their concern about the proposal. Women for Refugee Women has also started legal action against the Home Office, challenging whether it has complied with equality rules in the development of the new IRC.

### **APPG ON IMMIGRATION DETENTION INQUIRY – CALL FOR EVIDENCE**

The All-Party Parliamentary Group on Immigration Detention has launched an inquiry into the Government's use of large scale institutional sites, such as former military barracks (e.g. Napier) and a temporarily "de-designated" IRC, as asylum accommodation. They recognise that these sites replicate many of the features found in detained settings, including isolation from the community, reduced levels of privacy and agency for the residents. The inquiry wants to understand concerns about the suitability of these sites for accommodating asylum seekers, many of whom will have pre-existing vulnerabilities. **There is a call for written evidence [here](#), to be submitted by 5pm on 25<sup>th</sup> June.**

### **LATEST MIGRATION STATISTICS**

The latest migration [statistics](#) were published on 27 May. These showed a reduction of 24% in the number of asylum applications (this is most likely to reflect the impact of the pandemic rather than a reduction in the need for sanctuary), and continued long delays in decision making.

The UK is behind 16 other countries in Europe in terms of number of asylum applications per head of the population. A key concern is that, since new inadmissibility rules were introduced in December 2020, 1503 people have been told their claim is inadmissible.

The Refugee Council have produced an [analysis](#) of these statistics.

### **NEW BRIEFING ON FREE SCHOOL MEALS IN THE NORTH EAST**

LD4SOS has previously expressed concern that children in asylum seeking families who have no recourse to public funds (NRPF) have missed out on free school meals and the arrangements put in place to support low income families during the pandemic.

A new [Report](#) estimates that 4000 school children in North East England are in families with NRPF because of their immigration status. During the pandemic, the Government temporarily extended free school meals to include *some* children with NRPF who may miss out when the temporary extension ends. The Report's recommendations include that the Government should make permanent the temporary extension of free school meals eligibility to some households with NRPF. This may not go far enough, but it would be much better than what we have now. You can find a briefing [here](#).

### **FREEDOM FROM TORTURE MESSAGING GUIDE**

Freedom from Torture has produced a really helpful [report](#) "Changing the Conversation on Asylum: A Messaging Guide" which is based on research into the most persuasive narratives around refugee rights in the UK. This tool helps those of us who are advocating on behalf of seekers of sanctuary to think tactically and consider using messages which will be successful in persuading the public that seeking safety is a fundamental human right.

## **ASPEN CARD TRANSITION**

At the end of May the Home Office transitioned between the old (Sodexo) to the new (Prepaid Finance Services – PFS) ASPEN Card providers. The ASPEN card provides a small sum of money for asylum seekers. Process failures in the transfer are [reported](#) to have caused enormous hardship with there being an entire weekend when thousands of people were unable to access any money at all.

MPs raised the issue at the Public Accounts Committee on 8 June and were told that “the error” had now been resolved, but Asylum Matters on its [twitter account](#) is still identifying problems and quoting reports of families being without funds for over 17 days.

Asylum Matters are gathering evidence of the impact of the transition on service users. If you have any accounts/case studies of people having issues, do let Asylum Matters know.

## **Privacy International Campaign**

Even when it works the ASPEN card is problematic because of how the information captured by the card can be used to spy on asylum seekers. Privacy International have published an [analysis](#) of the Home Office’s response to a joint letter to the department, demanding that it ceases surveillance of asylum seekers through the payments they make on their ASPEN card. They have also published a short piece on what needs to be [changed](#) with the card.

## **MIGRANTS WIN IMPROVED ACCESS TO PERSONAL DATA HELD BY THE HOME OFFICE**

On 26 May the Court of Appeal ruled that giving migrants in the UK reduced data protection rights without proper safeguards is unlawful, as reported by [FreeMovement](#) in its May newsletter. This judgement overturns a 2019 High Court ruling and represents a victory for organisations who have campaigned against what is called the “immigration exemption”.

The appeal was initiated by The Open Rights Group and the 3million, and the full judgement can found at [\(2021\)EWCA Civ 800](#). In summary data protection laws give individuals the right to request what an organisation has on file about them – this is pretty important for people trying to get information about their immigration case from the Home Office. But the 2018 Data Protection Act contained this exemption – paragraph sch 4 says that right of access to one’s data does not apply in the context of immigration control”.

The Appeal Court ruled that the Immigration exemption was an “unauthorised derogation from the fundamental rights conferred by GDPR and ... unlawful”. That said, the Court did note that the problem could be fixed by amendments to bring the legislation up to code. The Court therefore deferred the decision on whether to “disapply” the exemption, or merely issue an official declaration that it is unlawful and leave the ball in parliament’s court. The Government may appeal or amend the legislation, but assuming now that the exemption is ultimately scrapped, this will benefit all migrants including refugees.

## **CONGRATULATIONS**

To Safe Passage International who have won the 2021 Charity Awards for Campaigning and Advocacy Winners. Well done to them and the other fantastic nominees.