



Liberal Democrats for Seekers of Sanctuary

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President Lord Roger Roberts of Llandudno

LD4SOS OCTOBER 2020 NEWSLETTER

In debating the Immigration Bill in the Lords, Roger Roberts [asks](#): "What sort of world are we aiming for?" Rather than proposing an end to detention, the Home Secretary is discussing transporting people to distant islands. "I ask the Government to take another look. Let it be a humanitarian look and let us go on to be rather proud, not of what we have done in hostility but of what we have done in caring and hospitality."

LD4SOS AT FEDERAL CONFERENCE

LD4SOS managed to be as visible as ever at our first virtual conference, with a fringe, AGM and "booth" for our usual stand. A full account is on our [website](#). Our much appreciated fringe on "The plight of LGBT+ Asylum Seekers" benefitted from more people attending than is normally possible, and is written up [here](#).

Instead of explaining what we do individually as people came to the stall, you can see our two-minute video [here](#), and find [here](#) the documents we hand out summarising Lib Dem policies on seekers and refugees as well as a useful document on facts.

SCOTTISH VIRTUAL CONFERENCE 30th and 31st October 2020

LD4SOS Fringe 12.45 Saturday 31st October 2020. Current issues faced by asylum seekers in Scotland including destitution for those without leave to remain. An informative Q&A session with Graham Neil from the Scottish Refugee Council and Alistair Carmichael M.P. Spokesperson for Home Affairs. Suzanne Fletcher, LD4SOS Parliamentary and External Relationships Officer will be in the Chair and keep order!

LIFT THE BAN



Our stall at last year's autumn conference included "Lift The Ban's" campaign for the right to work for asylum seekers. Your signatures then and subsequently contributed to the 181,399 signature petition handed in to the Home Office last week. Do continue to join the twitter storm using #LiftTheBan, with almost 3,000 impressions of the one featuring our Chair John Skipworth and President Roger Rogers, and nearly 2,000 with a selection of Peers and Young Liberals. Look out for the campaign being stepped up in the coming months.

CONCERN ABOUT CONDITIONS FOR CHANNEL ARRIVALS

Charities and an official Inspector of Prisons have expressed concerns about conditions in which asylum seekers are held. Two army barracks have been [converted](#), at Penally in Pembrokeshire and Folkestone in Kent, to house 600 asylum seekers. The British Red Cross and other charities have raised concerns about the unsuitability of places offering no privacy and no access to legal or medical help and about the refusal of the Home Office to track far-right protests outside army bases and hotels holding asylum seekers.

The former detention centre Yarl's Wood in Bedfordshire is now a short-term facility for those crossing the Channel, and interviews [conducted](#) by Movement for Justice with detainees show that victims of trafficking and torture are not identified and that legal advice is denied until days before deportation.

The cramped containers provided at Tug Haven in Dover are on a rubble-strewn building site, as The Guardian shows [here](#). The newspaper quotes from an official [report](#) by the Chief Inspector of Prisons, who, after inspecting several short-term facilities including Yarl's Wood, concluded that, despite the best efforts of staff, the numbers were no excuse for the conditions at some of the sites, that the Home Office had failed to plan for "what must have been a predictable increase" in arrivals from across the Channel, that there were weaknesses in child safeguarding procedures and that "an effective response requires coordinated and strategic action involving different Home Office agencies and the port authorities". Facts speak for themselves.

LIBERAL DEMOCRATS SPEAK OUT AGAINST HOUSING MIGRANTS "OFFSHORE"

Liberal Democrats reacted strongly to [reports](#) that the Home Secretary has asked officials to look at setting up centres to 'process' asylum seekers on North Sea oil rigs, disused ferries or islands in the South Atlantic or perhaps in the Northern Isles represented by Alistair Carmichael, our Home Affairs Spokesperson. Meantime the Home Office consults in secret on plans to build floating walls in the Channel.

Very moderately, Alistair has described such plans @MetroOpinion as "Appalling, inhumane and even wasting money on stupid plans to avoid the UK being a place of sanctuary and welcoming those fleeing from elsewhere we have a legal obligation to allow to seek asylum", while suggesting that "Instead of coming up with hare-brained schemes like this, the Home Secretary would do better to concentrate her efforts on getting immigration and asylum systems that work efficiently and treat all people with respect."

He adds: "The real solution – as the Liberal Democrats, the migration experts, the refugee charities and the United Nations itself have been saying for years – is to provide safe and legal routes to sanctuary for refugees."

Our Baroness Hussein-Ece [informed](#) the House of Lords that the UN High Commissioner for Refugees has said they are not party to any such UK government discussions, and asked for Ministerial assurances that the UK will provide asylum seekers with procedures which comply with international law, and further asked, as already asked by Lord Alton, when the Government would announce its safe and legal routes.

LIB DEM AMENDMENTS ON DETENTION AND FAMILY REUNION DEFEATED

A detailed account of the David Davis amendment to place a time limit on detention, defeated in June in the Commons, and what has happened since may be found [here](#).

Following passionate speeches from Sally Hamwee and other Lib Dem peers the House of Lords had approved amendments which placed a time limit on detention (with robust judicial oversight) and enabled refugee children to travel safely to the UK to be reunited with their parents.

When the amendments came back to MPs for consideration Alistair Carmichael, Wera Hobhouse and Tim Farron all spoke during the debate, reported in full [here](#). Alistair Carmichael said: "I have long since given up trying to plead with Home Office Ministers on the basis of humanity and compassion, but I would have hoped that a case based on economy and efficiency would find some favour. However, the Minister...deftly ignored my point that £7million was paid out last year and there were 272 cases of wrongful detention."

Even if it was not possible to win in the Commons, the Government majority was significantly reduced and even its rhetoric has become less extreme, particularly on foreign offenders as shown in the closing comments from Kevin Foster, Minister for Immigration: "On detention...., we have to have a lawful basis for doing so, and that can only be where there is a reasonable prospect of removal or threat to the

public – although I accept that only a very small number of people are serious foreign national offenders”.

The amendments went back to the House of Lords and on 21 October the Lords voted again for the Family Reunion amendment – this time with the votes of 4 Tory Peers. The Government is worried and during the debate, reported in full [here](#), they announced a review into safe and legal routes for asylum seekers including family reunion. Though welcome, it does nothing to stop family reunion ending on 31 December 2020. On time limiting detention, the Lords didn't insist on the amendments or offer an alternative. This means that when the Bill returns to the Commons again, there won't be any detention related amendments for MPs to debate but there will be an opportunity for them to vote again to accept the amendment on Family Reunion, so please do continue to write to your MP urging them to support this amendment.

CRITICISMS OF PROCESSING OF FAMILY REUNION APPLICATIONS

The Independent Chief Inspector of Borders and Immigration has published a [report](#) based on an investigation made in the second half of 2019 on the Home Office's administration of family reunion applications by refugees already granted asylum in the UK. By this time the processing of most of these applications had been transferred from centres abroad to a central Asylum Operations office in Sheffield.

His overall conclusion is that the Home Office needs to demonstrate that it has paid attention to legitimate concerns expressed by parliamentarians and other interested bodies over the operation of the family reunion system, “and, where it looks to resist demands for these changes, it needs to show that it has a robust evidence base for its current policy and practice.”

Specific criticisms include the language of Home Office guidance to applicants and sponsors for family reunion: “Even if they were fluent in English, which most are not, the language is dense and often opaque”, and the insistence that allowing children already given asylum to sponsor the entry of parents or other family members into the UK would create incentives for more children to be encouraged or forced to make “hazardous journeys” to the UK, even though many other countries allow this without problems.

OUTSOURCING INTERVIEWING AND DECISION MAKING

Outsourcing interviewing and decision making for asylum claims because there is a backlog is a dangerous and slippery slope, as [ECRE](#) reports, when potential contractors have been involved in immigration scandals in the past.

LD4SoS has long campaigned for better decision-making, yet 50% of decisions are still overturned on appeal.

A Freedom from Torture [report](#) highlights that even the most experienced of caseworkers fail to identify signs of trauma, and struggle to elicit difficult details from survivors of trauma. Decision-making needs to be radically overhauled for the better not worse, as per our Lib Dem [policy](#).

FAIR IMMIGRATION REFORM MOVEMENT CHARTER

We have signed up to this FIRM [CHARTER](#) which has been developed by a migrant-led movement for justice whose aim is to demand an immigration system based on basic rights, and on the principles of dignity, justice, and welcome.

EVICCTIONS

Quite rightly the Home Office has deemed that those asylum seekers with decisions, positive or negative, would not be evicted after the 28/21 days (as in our [policy](#)) during Covid. But they are starting

evictions now, so that those with a negative decision are going to be homeless and penniless, and because of Covid rules cannot be staying with some good-hearted person.

Organisations that help, mainly NACCOM (the No Accommodation Network or organisations affiliated to it) will not be able to cope with so many at once. The public sector is not allowed to help these individuals as they will have No Recourse to Public Funds (NRPF). It is a public health risk at this time, and winter is coming.

One housing provider has said that they are not going to evict, and that this will be at their expense (they will get no income from that property). It still means the person has no income but at least they have a roof over their head and the voluntary sector will know where they are. We have asked our parliamentary team to put pressure on the Home Office not to evict these very vulnerable people onto the streets at this time.

FREE SCHOOL MEALS (FSM)

Whilst children of mainstream asylum seekers on Section 95 are entitled to FSM, asylum seekers on Section 4 (those who have been refused but are appealing) are not if they in Year 3 and above at school. Also families with No Recourse to Public Funds are not eligible.

In April, because of the pandemic, the Government said that all these children could get holiday vouchers for food, and as you know, because of Marcus Rashford, this was extended over the summer holidays. Now back at school the FSM are being continued for all, but it is about to stop and the situation is being reviewed by the Government. Marcus Rashford is campaigning, rightly, for all children where the family is on Universal Credit to have FSM as in the National Food Strategy (NFS) [Report](#).

However many asylum families can't access this provision and the NFS Report did not include them in their recommendations. Hackney Migrant Centre and the Children's Society are the organisations campaigning for all children in year 3 and above to be eligible if the family income is at or below the level of Universal Credit. These very poorest children are being excluded from FSM, which Lib Dems cannot accept. Daisy Cooper MP has written to the Government and tabled questions to ask that Free School Meals be extended to these two vulnerable groups.

INTEGRITY OF LEGAL PROFESSION

The right to justice is fundamental to British democracy. It is therefore quite wrong for the Home Secretary to criticise lawyers for doing their job, apparently in collusion with the Daily Mail. A detailed [rebuttal](#) of these charges is given by Duncan Lewis Solicitors. We are very grateful for the work they do, not just for individuals but crucially in test cases identifying and stopping illegal practices. Thank you. Rhetorical attacks by the Home Secretary and Prime Minister have real world consequences. Over 900 prominent and distinguished legal figures including our Council member Ruvi Ziegler have now signed a public [letter](#) pointing out that these attacks by senior ministers undermine the rule of law and endanger the personal safety of those working in the legal system. In [reporting](#) the Government's rejection of this criticism, The Guardian includes the fact that a man has now appeared in court accused of "carrying out a racist attack on a firm of immigration lawyers in London".

TORIES BREAK THE LAW

As reported on our [website](#), Alistair Carmichael has condemned unlawful Home Office policy following a ruling by the Court of Appeal that government policies used for the removal of migrants in an estimated 40,000 cases were unlawful. We have [compiled](#) six further examples from previous newsletters over the last 18 months of the Home Office being found by a court to have acted illegally. As Alistair tweeted about Priti Patel's reported "offshore" plans given above: "What is this Tory obsession with breaking

international law? Patel's plans are not only heartless and cruel, but they would break the UK's obligations under the 1951 Refugee Convention."

REFUGEE COUNCIL NEW INFORMATION LINE



Refugee Council's new Infoline, funded by the National Emergencies Trust, is now open for calls ☎ 0808 196 7272.

📞 If you are in Scotland, you can call the Scottish Refugee Council: 0808 196 7274

📞 If you are in Wales, you can call the Welsh Refugee Council: 0808 196 7273

They can connect refugees and people seeking asylum with specialist agencies that provide the support and services they need.

STOP PRESS - MORE TRAGIC DEATHS IN THE CHANNEL

We are deeply saddened by [news](#) of more desperate asylum seekers including children drowning as they attempt to reach the UK to claim asylum.

We support Care4Calais who [say](#) this should be a wake up call to those in power in France and the UK, and agree in particular that "we have to provide a safe and legal process by which refugees can have their UK asylum claims heard. That's the way to put an end to terrifying, dangerous sea crossings and stop tragedy striking again." This has been Liberal Democrat [policy](#) since 2015.

We have countered the UK Government narrative about the need for physical border security and tracking down gangs of people smugglers in the written evidence presented by LD4SOS to the Home Affairs Select Committee on Channel crossings, which can be found as item [CHA0023](#) published on 30th September 2020.

MYTHBUSTING

There are many myths around at the moment, and you may find some of these rebuttals useful. [This video](#) of Layla Moran speaking is clear, and this graphic from [Aid Box Community - Home and Help to Refugees](#), speaks for itself.

BREAKING THE MYTHS

- 1** It's **NOT** illegal to cross the Channel
- 2** Refugees are neither migrants nor illegal nor invaders.
- 3** Under International law, **anyone** has the right to apply for asylum in **any** country that signed 1951 Convention - to remain there until the authorities have assessed their claim.
- 4** Last year approx **79.5** million refugees were forced to flee their homes. For its share, the UK took **20,339** refugees - just **0.026%** of the world's refugees.