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Introduction

June has seen many successful events held across the country for Refugee Week. Refugee Week is an annual celebration of the contribution of refugees to the UK that encourages a better understanding between communities. Congratulations to all the organisations involved.

Also in June, the Home Office launched proposals to simplify complex immigration and citizenship laws. The project is intended to achieve a more streamlined immigration and asylum framework and is the biggest overhaul of Britain's immigration laws for more than 35 years. Further information is detailed in this month's briefing.

Haringey Council meets with ministers about funding for current and refused asylum seekers

Haringey Council has said it will face a £3 million shortfall this financial year unless the government increases its grants for asylum seekers living in the London borough. Council leaders have met with ministers to ask them to provide part or all of the extra funding they say is required. A council spokesperson said that under the National Assistance Act councils were required to support people who were refused asylum until they left the country and that it believed the government should meet this cost. They added that the council also felt that the £100 per week it was paid for looking after unaccompanied asylum seeking children was too low.

<http://www.communitycare.co.uk/Articles/2007/06/08/104756/haringey-council-asks-government-for-more-money-for-asylum.html>

*Haringey Council
facing shortfall of
£3 million*

Scottish Executive oppose dawn raids on refused asylum seekers

The new Scottish National Party (SNP)-led Scottish Executive has expressed its opposition to the tactic of dawn raids to bring refused asylum seekers into detention, especially where children are involved. The Executive made its position clear after the Independent Asylum Commission held its fourth public hearing in Glasgow on 5th June. The Commission heard evidence on the "unacceptable level of trauma" caused when dawn raids are used.

Unacceptable level of trauma caused by dawn raids

The Scottish Refugee Council (SRC) pointed to the Swedish system* as an alternative model, which places much greater emphasis on voluntary returns and provided motivational counselling and support to help failed asylum seekers prepare for their return.

A spokesman for the Scottish Executive said: 'The Scottish Executive is opposed to the practice of dawn raids and believes that asylum seekers must be treated humanely, particularly when children are involved. Asylum seeker children have the same rights as other children'. The executive has requested a "protocol" with the Home Office to ensure greater involvement of devolved agencies such as education authorities and police before action is taken to remove children pending deportation.

<http://www.refugeecouncil.org.uk/news/reviews/newsreview.htm>

*For further information re Swedish migration policy, please see <http://www.migrationsverket.se/english.jsp>

Home Office to expand the NSA list and "accelerate the removal of failed asylum seekers"

The Home Office intend to "accelerate the removal of failed asylum seekers" by adding ten more countries to the Non-Suspensive Appeal list (NSA).

If an asylum seeker from a country on the NSA list makes an asylum claim and the Home Office refuses it, it can be "certified" as "clearly unfounded" and the asylum seeker has no right of appeal in the UK - their claim will not be heard by an independent immigration judge.

10 new countries added to the Non-Suspensive Appeal list

A "refused" asylum seeker may be able to make a Judicial Review of the Home Office's refusal.

Already on the Non-Suspensive Appeal list

The following 14 countries are currently designated under section 94 of the Nationality Immigration and Asylum Act 2002: Albania, Jamaica, Macedonia, Moldova, Serbia and Montenegro (previously the Federal Republic of Yugoslavia), Brazil, Ecuador, Bolivia, South Africa, Ukraine, India, Mongolia, Ghana (male applicants only) and Nigeria (male applicants only).

10 new countries to be added to the non-suspensive appeal list

A draft order to add Bosnia, Mauritius, Montenegro and Peru; and, in respect of men only, Gambia, Kenya, Liberia, Malawi, Mali and Sierra Leone to the list of designated countries on the UK's non-suspensive appeal list was laid on 22 May 2007 and will be subject to Parliamentary approval.

<http://press.homeoffice.gov.uk/press-releases/asylum-apps-continue-to-fall>

Borders and Immigration Agency publishes business plan

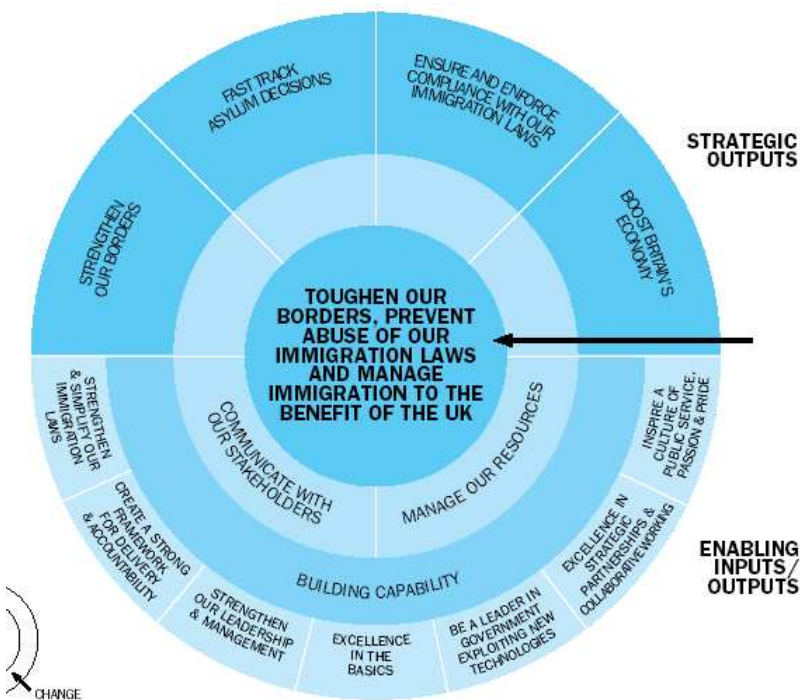
The BIA has published its 'Business Plan for Transition Year - April 2007 - March 2008', outlining its strategic objectives and how they will be achieved for the year.

Download the plan at:

<http://www.bia.homeoffice.gov.uk/6353/aboutus/businessplan0708.pdf>

Or download the executive summary at:

<http://www.bia.homeoffice.gov.uk/6353/aboutus/businessplanexecsummary.pdf>



Fresh Asylum Claims

Immigration Law Practitioners' Association (ILPA) has developed an information sheet on making a 'Fresh Asylum Claim'. A fresh claim is where someone who has previously made an asylum claim, which has been finally refused, makes a new claim that they should be granted asylum. The distinction between fresh claims and further representations is very important.

If a fresh claim is made, this may enable a person to qualify again for welfare and housing support as an asylum-seeker. A person will usually have a new right of appeal against a refusal of a fresh claim. Also, a fresh claim may qualify for legal aid. In contrast, further representations will not usually lead to these benefits.

ILPA has developed an information sheet on making a 'Fresh Asylum Claim'

Home Office policy on fresh claims can be found at: <http://www.ind.homeoffice.gov.uk/documents/asylumpolicyinstructions/apis/furtherrepresentations.pdf?view=Binary>

For a full copy of ILPA's information sheet see its 'info service' at <http://www.ilpa.org.uk/>

The Asylum Process Explained

The complex system governing the different ways in which persons seeking asylum in the UK from arrival to removal is explained in four new briefings by the Information Centre about Asylum & Refugees (ICAR).

ICAR's work is aimed at improving public understanding and debate about asylum and refugees and the organisation was commissioned by the Independent Asylum Commission (IAC) to provide it with background information about various aspects of asylum policy.

There are four briefings:

- **Asylum determination process:**
http://www.icar.org.uk/bob_html/04_iac_briefings/The_operation_of_the_asylum_determination_process_June_2007.pdf
- **Detention of asylum seekers:**
http://www.icar.org.uk/bob_html/04_iac_briefings/Detention_of_asylum_seekers_in_the_UK_June_2007.pdf

Improving public understanding about asylum and refugee issues

- **Vulnerable groups:**
http://www.icar.org.uk/bob_html/04_iac_briefings/Vulnerable_groups_in_the_asylum_determination_process_June_2007.pdf
- **Removals:**
http://www.icar.org.uk/bob_html/04_iac_briefings/Removals_June_2007.pdf

Overview and implications of the Government's new asylum model

The Refugee Council has published an updated briefing presenting an outline of the new asylum model, discussing its implementation to date, and outlining its strengths and concerns.

As we are aware, from March 2007, the Home Office intends to put all new applications for asylum into the New Asylum Model (NAM). Each asylum seeker will have a named 'case owner' who will be responsible for dealing with all aspects of their case from initial interview to final integration or removal. They will also be subject to tighter timescales on the processing of their case and more rigorous reporting requirements. Whilst there are positive aspects to the new procedures the Refugee Council also has concerns in particular about the speed at which the new procedures operate.

<http://www.refugeecouncil.org.uk/policy/briefings/2007/nam.htm>

Concerns about the speed at which the New Asylum Model (NAM) procedures operate

Case law: new Judgement

On 20 June 2007, the Court of Appeal gave judgment in S (Afghanistan) [2007] EWCA Civ 54.

In 2001, the Home Office was given a target of deciding 75% of asylum claims made after 1 January 2001 within 61 days. To meet this target, the Home Office put older asylum applications on hold. The Court decided that this was unlawful because the Home Office had not considered whether it was fair for them to delay decisions in the older claims in order to make speedy decisions on the new claims. Mr S had claimed asylum before 1 January 2001. His case was put on hold. The Court decided that, if it had not been, he would have received a decision before 15 November 2001. Up to that date, it was Home Office policy to grant indefinite leave to remain ('ILR') to Afghan asylum-seekers. His claim was finally decided after that and he was refused ILR. The Court decided that it was unlawful to refuse him the benefit of the old policy, because the reason for the delay in his case was the Home Office's unlawful policy of putting cases like his on hold.

<http://www.thegovernmentsays.com/cache/181482.html>

Home Office's policy of putting cases on hold deemed unlawful

The Jesuit Refugee Service (JRS) in Europe has published a 'Report on destitute forced migrants'.

The JRS Europe is concerned about the fate of destitute migrants staying within the European borders who are forced to live in abject poverty, having limited or no entitlements to social support by the State.

Download the full report at:

<http://www.jrseurope.org/EPIM/Destitute%20Forced%20Migrants.pdf>

Or download the executive summary at:

<http://www.jrseurope.org/EPIM/Executive Summary for website.pdf>

The Jesuit Refugee Service in Europe has also published 'JRS Europe Policy Positions' as a response to its report on destitution. Download the policy positions at:

<http://www.jrseurope.org/EPIM/Policy Positions for Website.pdf>

Destitute migrants in Europe live in abject poverty

Independent Asylum Commission Public Hearings and Road shows

The Independent Asylum Commission (IAC) has been conducting a nationwide review of the UK asylum system, through a series of public hearings. The Commission will produce a report in 2008 that will make recommendations for reform of the asylum system.

Remaining dates for the road shows are:

- **Yorkshire and Humberside: Asylum Appeals, Leeds, September 20th 2007**
- **North-west: Asylum Support and Destitution, Manchester, October 17th 2007**
- **National hearing, London, November 29th 2007**

If you would like to give evidence at any of the hearings, you can contact the IAC. The IAC is independent of government and the voluntary sector, and is accountable to citizens.

For information on the Commission's earlier Public Hearings/ Road shows - News and Media section at:

www.independentasylumcommission.org.uk.

Opportunity to give testimony regarding the UK asylum system

Simplifying immigration law: an initial consultation

The biggest overhaul of Britain's immigration laws for more than 35 years is being planned by the Government, which has admitted that their complexity has undermined public confidence in the system.

On 7 June 2007, the Border and Immigration Agency issued a consultation paper aimed at consolidating immigration and asylum procedures. *Simplifying immigration law: an initial consultation* is the first step in the government's plans to reform the immigration system, culminating in new primary legislation to be introduced in 2008.

The Simplification Project aims to produce a single, consistent and coherent framework of primary and secondary legislation, together with any further guidance and instructions that are strictly necessary. Its focus is the legal framework, rather than a review of immigration policy or operations. But it is not a purely legal exercise: it will link closely to many other strands of reform in the Border and Immigration Agency to ensure that the organisation's developing structures, processes and systems are properly supported and work together as effectively as possible.

Complexity in immigration laws has undermined public confidence in the system

Comments and feedback should be submitted by **Wednesday 1 August 2007**.

Download the report at:

<http://www.ind.homeoffice.gov.uk/6353/6356/17715/immigrationlawconsultation>.

Planning Better Outcomes and Support for Unaccompanied Asylum Seeking Children

In February 2007, the Home Office launched its proposals to reform services to unaccompanied asylum seeking children. Since then a number of agencies have come out in response to the Home Office's proposals.

You can view the Refugee Council and other refugee agencies' response at <http://www.refugeecouncil.org.uk/policy/responses/2007/refugeechildresservices.htm>

The National Society for the Prevention of Cruelty to Children (NSPCC) has also published it's: 'Response to Planning Better Outcomes and Support for Unaccompanied Asylum Seeking Children'. Download the report at: http://www.nspcc.org.uk/Inform/PolicyAndPublicAffairs/Consultations/2007/2007_UASC_gf46257.pdf

At the British Association of Social Workers (BASW) AGM in May 2007, the BASW carried two motions regarding the proposals announced by the Home Office regarding unaccompanied asylum seeking children.

Ordinary Motion 3 – The BASW deplores the exclusion of unaccompanied children seeking asylum from the Care Matters Green Paper in England and will oppose the new proposals announced by the Home Office for a different approach to care planning and to placements for unaccompanied children compared with other looked-after children (Motion carried).

Ordinary Motion 4 – The BASW deplores the removal of unaccompanied children from “looked-after” placements by immigration authorities without notice or preparation and pledges to support members who, following consultation with their employer and BASW’s Advice and Representation Service, find it necessary to refuse to co-operate with unethical practice which violates the rights of children and young people. (Motion carried unanimously).

For further information, please see:

<http://www.basw.co.uk/default.aspx?tabid+53&articleID=585>

'Prevention of Illegal Working - Immigration Asylum and Nationality Act 2006: Consultation on the implementation of new powers to prevent illegal migrant working in the UK

This consultation explains the Border and Immigration Agency’s approach to preventing illegal working. It seeks views on proposals to implement new powers in the Immigration, Asylum and Nationality Act to tackle illegal working by nationals of countries outside the European Economic Area

<http://www.bia.homeoffice.gov.uk/6353/6356/17715/preventionofillegalworkingc1.pdf>

Recommendations for integration and cohesion

The Commission on Integration and Cohesion of the Communities and Local Government Department has published its final report: 'Our shared future' with practical proposals for building integration and cohesion at a local level.

Download the report at:

http://www.integrationandcohesion.org.uk/upload/assets/www.integrationandcohesion.org.uk/our_shared_future.pdf

Upcoming Events - Conferences

The IAS Conference 2007, Borders and Barriers: Essential updates in immigration and asylum law and practice.

Immigration and asylum law seems to be in a permanent state of flux. This conference sets out to examine the raft of changes in law and practice and will focus specifically on managed migration and the New Asylum Model, as well as the likely impact of the introduction of fixed fees for publicly funded work.

Wednesday 11 July 2007 at Regent's College, Inner Circle, Regent's Park, London NW1 4NS

http://ias.live.poptech.coop/module_images/2007%20conference%20leaflet.pdf

*Conference to
examine
changes in
law and
practice*

Voice volunteering: campaigning and active citizenship

The Commission on the Future of Volunteering is holding a consultation event on Wednesday 4 July 2007 in London. Places are still available.

This event is for people involved in campaigning for human rights, social justice and the environment and for those who are engaged in active citizenship. This includes parish and local government, political parties and lobby groups, trade unions, or on behalf of groups serving disadvantaged communities.

Contact the Commission to [book a FREE place](#) –
(suzie.curran@volunteeringengland.org)

For further information, please contact:

<http://www.islington.gov.uk/hrpfnetwork> or e-mail hrpf@islington.gov.uk or tel. 020 7527 7101

NRPF Network C/o Asylum Seeker and Refugee Service, Islington Council, 299 Hornsey Road, LONDON N19 4HN