

## ***'Position Statement' passed unanimously at the Churches' Refugee Network conference, meeting at Sheffield on 5<sup>th</sup> April 2014***

This conference of the Churches' Refugee Network of Britain and Ireland affirms the dignity and worth of all human beings as a fundamental principle of every civilised society. From this flows the right of every person to seek and enjoy asylum from persecution, not only under Article 14 of the Universal Declaration of Human Rights and the Refugee Convention, to which the UK is a signatory, but as a right recognised in civilisations from ancient times.

We also affirm what immigrants and refugees from many lands and of different faiths have, for centuries, contributed to the culture and achievement of the UK. Immigration vitally enriches our national life, just as those going out from these islands have often contributed to the well-being of countries where they have worked or settled. Refugees and those who seek asylum are a special category of immigrant, but politicians' discourse and media-led perceptions often obscure this, doing them further injustice.

We accept the need for reasonable border control and the Government's responsibility for the well-being of all its citizens. Yet this conference believes that many provisions of the current Immigration Bill will not simply reinforce national borders but create damaging boundaries and divisions within national life, separating those who have civic entitlements from those who have not. This breeds an unhealthy culture of mistrust and suspicion, undermining social cohesion and inevitably leads to increased social costs.

The conference affirms the biblical Christian and Jewish traditions of the importance of welcoming strangers and of offering special protection and provision towards aliens, even those 'unlawfully' present.

In particular, the conference registers its concerns about the following:

### **Detention**

1. The levels and lengths of detention, both for adults and minors, are already unacceptable (and unnecessarily costly) and the Bill's proposals threaten to make them more so. Indefinite detention should end. Those who have served their sentence should not continue to be detained.

### **Destitution and the need to permit paid work**

2. A civilised society should allow no-one to become destitute. The refusal to allow those who have been waiting many months for a decision on their asylum status to obtain work to support themselves or their families is demeaning. It makes eventual integration more difficult, and will lead to health problems and to unnecessary NHS costs, whilst access to benefits is minimal and insufficient.

### **Restrictions on Legal Aid**

3. Although asylum is expressly exempted from the restrictions now placed on legal aid, there has been a drastic decline in the number of good immigration lawyers, caused directly by Government changes to fees and contracting, with a consequent disincentive for new entrants to the legal profession to specialise in immigration law. This places asylum seekers at a great disadvantage in terms of access to professional legal advice. It also slows down the Courts, where judges increasingly have to exercise representatives' functions such as cross examination, clarification and summarizing. We are seeing serious delays of hearing schedules extended not by weeks but by months. Slow justice eventually becomes injustice.

### **Outsourcing to private firms**

4. The involvement of private firms in removals and deportation has led to injuries and occasional death due to improper restraints; the separation between the Home Office and such firms leads to a lack of accountability and an evasion of responsibility. Whilst it may marginally save costs, it is bad governance of a public function. Recent examples do not even justify a reduced cost argument; eg. the tagging scandal.

### **On the Immigration Bill**

5 The welfare and safety of thousands of children who have been born or grown up here, and have no home elsewhere to which they can be returned, but whose parent(s) have been deported, will be severely prejudiced, as will their legal claims. Likewise those young people who came as unaccompanied minors but who are now between 19 and 24, and in whose attempted deportation the UK Government often flouts the Convention on the Rights of the Child.

6. Alongside the new restrictions on legal aid and those proposed on judicial reviews, the range of grounds for appeal, and the opportunities for bail and to appeal, are dramatically reduced. Despite numerous attempts to improve administration, the decision-making process within the Home Office still leads to a high rate of successful appeals: Substituting an internal review system for an independent appeal mechanism is unlikely to produce adequate justice. Poor decision-making will be harder to challenge and correct.

7. Placing onerous obligations on landlords and staff in banks, clinics, surgeries and DVLA to scrutinise and police complex immigration documents will prejudice many people who are lawfully here as well as those 'unlawfully' here who have fled persecution or violence but may wait years for decisions on their asylum status and who under Human Rights legislation are entitled to legal protection.

8. While we would give no support to sham marriages, mistrust about all mixed relationships will be created and many genuinely seeking marriage will be caused stress and pain at a time which should be happy and filled with promise. The right to a private and family life and relationships is as important to those 'unlawfully' here as to those who have full right to residence.

### **Family Migration**

9. (a) The income level of £18,600 set for bringing foreign-born spouses and/or children of British citizen to the UK is too high for some 48% of British people, including those British citizens who have married while working abroad. It does not reflect lower average incomes in parts of Britain outside London and the South-east, nor does it take into account significant differences in median incomes of British ethnic citizens, especially women. While this does not include families established by asylum seekers before their own arrival in the UK, it does impact on those refused asylum who are granted Indefinite Leave to Remain, and limits the right of those with status subsequently to marry someone from their home country.

(b) The rules relating to Adult Dependent Relatives are harsh to the point of cruelty and should be eased.

**Gathered for this conference, we commit ourselves to work for better welcome, care and justice for all who seek to find in the United Kingdom sanctuary from persecution and violence.**