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# **A Humane Asylum Policy**

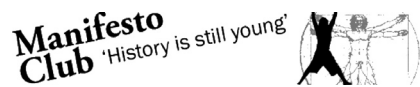
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A Manifesto Club Thinkpiece

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## About Thinkpieces

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## About the Author

Stefanie Borkum has worked with refugees and migrants in London since 1986. She ran a refugee community organisation, which specialised in giving legal advice to Latin Americans, during a period of rapid changes in asylum and immigration law that drastically reduced the rights of these people. She is a founder member and trustee of the Asylum Support Appeals Project, which gives free legal representation to asylum seekers who have been left homeless and impoverished by recent government policy. She currently advises refugee and migrant community organisations on the development of their services. Stefanie was awarded a travelling fellowship in 2007 to research new migration in Spain.



### In short...

Refugees are some of the most resilient people in British society, often having lived through extreme situations at home and having to overcome extraordinary circumstances in the UK.

Government policy on asylum seekers and refugees exacerbates the difficult situation they already find themselves in and can undermine that resilience.

Refugees are routinely referred for counselling, when what most actually need is decent practical help, including housing, a job, and English lessons.

Refugees and asylum seekers should be allowed to live where they have informal networks. Dispersal policies separate refugees from these sources of support.

In many cases, refugees face the same problems as others in their community. Issues of poor schools and other public services are common to all local people and should be addressed by communities collectively.

### **Asylum in the UK**

For over a decade, the UK government has responded to the rising number of asylum seekers with restrictive measures to keep people out of the country – by imposing new visa requirements, posting officers at foreign airports to weed out possible asylum seekers, and fining airlines thousands of pounds if their passengers claim asylum at the other end of their journey. UK immigration controls have even extended beyond national borders to France and Belgium.

For those who do get into the UK, a repertoire of measures to criminalise and control them awaits, such as serving a prison sentence for being in possession of a false passport, or being detained while their asylum claim is dealt with. Asylum seekers – whether dispersed around the country or in London - are also required to report weekly at special centres. For the thousands of 'failed' asylum seekers who have come to the end of their claim but cannot return home, there is a life of destitution, surviving on food parcels from the Red Cross, if they do not want to break the law by working. Medecins du Monde, a non-governmental organisation (NGO) that normally operates in the developing world, has opened offices in London to attend to these people who are denied free medical care.

All this is extreme. Even when asylum figures peaked at 84,130 in 2002, a country like the UK, one of the world's wealthiest nations with a population of 60 million, can easily cope with such insignificant numbers.

When I started to work with refugees 20 years ago, we made no distinction between people who came to the UK for political or economic reasons. Now, thanks to changing government policy, such a view is rare among refugee organisations. We have stopped thinking of immigrants as people, and started dividing them into categories which bear little relationship to the reality of people in diverse circumstances, struggling to improve their lives and the lives of their family.

The Geneva Convention on Refugees employs a narrow definition of a refugee, and is vague enough to leave room for asylum decisions to be made according to changing political preferences. Between 1997 and 2001, for example, 44 percent of Iraqi asylum claims were successful in the UK; in 2006, 88 percent of claims were refused. The situation in Iraq has deteriorated, but UK government policy has changed since the fall of Saddam Hussein.

It surprises me that people still go through the asylum process, rather than just disappearing into cities to live and work anonymously. It also saddens me that the government seems to have won the argument with refugee organisations that there is a hierarchy of human beings, some who deserve to be here and others who do not. Some say that the government should treat refugees more humanely – but it is also necessary to challenge the base of the problem, in the fictitious divisions between bogus and genuine, illegal and legal.

This thinkpiece urges those who work with refugees to think more carefully before accepting the government's refugee policy. It puts the case for the free movement of people, and for the abolition of distinctions between different grades of refugees. And it argues that immigration policies should treat refugees with respect, recognising them as capable, resilient people, and giving them practical help to build new lives.

### **What really helps integration?**

Since the 1960s, there has been a dual policy of harsh laws to keep

certain immigrants out of the country, and race-relations laws to integrate those who are here. The government's recent White Paper 'Secure Borders, Safe Haven: Integration with diversity in modern Britain'<sup>1</sup>, the precursor to the 2002 Nationality, Immigration and Asylum Act, shows a continuity with this tradition. However, a new ingredient entered the government discourse on immigration with this document: the fear of a disintegrating social fabric.

The White Paper, written a year after riots in several Northern cities, merged refugee integration with the community cohesion agenda. Refugee policy is now driven by the government's concerns about 'the profound loss of confidence in national identity' and 'in a sense of belonging'. Refugee policy is guided, not in response to the needs of those individuals, but by elite concerns about social integration. The policy that results is often actually counter-productive; in practice, the real lived experience of settling in a new country is hindered by asylum and immigration policy. Integration sponsored by the government often consists of gestures, such as measures of citizenship tests and ceremonies, which bear little relationship to real life in Britain.

There is no one formula for settling into a new society as a refugee, but there are a few basic elements. At the beginning of the process, the informal social networks of friends, family and other community members, are important for finding your way around the system, and certainly for getting work. Social interactions through work, neighbours, children's school, adult education and so on all contribute. Gaining control over one's own life, becoming independent through employment and being able to support oneself and one's family is crucial. Learning English, and finding out about the new systems and a different culture (even if it is by trial and error), also strengthen people.

Dispersal policies work against refugees' support systems. Since 2000, it has been UK government policy to disperse newly arrived asylum seekers to areas far from all their informal social networks. These dispersal areas are in some of the 88 most deprived districts of the UK, with high levels of unemployment. Refugees are left in isolation, often miles from town or city

centres, with no right to work and on a handout at the level of 70 percent of income support. English language classes are no longer free to them.

While the experience is degrading and downright boring, on the whole people hold out while they await a decision in an awful limbo. There is no doubt that seeking asylum is bad for your health, though. There are a number of cases where people's resilience has been broken at the end of the asylum process, and where suicide has been seen as a better option to being sent home. One Somali man described his situation as being 'outside humanity'.

Once people are accepted as refugees, government policy is good on paper. The Sunrise programme is the highlight of the Home Office's 2005 refugee integration strategy 'Integration Matters'<sup>2</sup> (although the optimistic imagery conjured up by the name may dampen when you realise it stands for 'Strategic Upgrade of National Refugee Integration Services').

This policy states that each newly recognised refugee has a 'personal integration plan', which leads to being housed within 28 days, finding a job that matches their existing skills, and access to English language tuition. But in practice, this doesn't happen: most people eventually find their own way, usually continuing to sleep on the living room floors of family or friends, while they find a series of unskilled jobs by word of mouth.

Part of the government's new thinking on refugee integration is that refugees use mainstream services, like the Job Centre Plus. This leads to a big culture shock, with bemused Job Centre Plus advisors trying to match to suitable employment people with PhDs in forestry, engineering, science, or doctors, nurses, teachers and dentists who have to requalify before practising. People often either settle for cleaning, meat packing and the Post Office to earn a living rather than spend years requalifying without an income, or they remain unemployed. Both options represent a waste of people's skills and potential, but one of the biggest barriers to employment for many is English language and existing qualifications not being recognised in the UK.

The government sees English language as a key factor in integration, but its programme is patchy in both quality and availability. Having forced asylum seekers to waste several months of good English learning time, a successful asylum seeker then becomes a job seeker which means that they have to be available for work. This restricts the time they can study English to 15 hours a week. I know refugees who during the years of the Cold War were sponsored by either Washington or Moscow to study in the USA and Soviet Union, and they got their degrees in Russian or English through intensive language tuition having never spoken a word before they arrived. It can be done, and refugees have suggested it, but policymakers now do not see this as realistic.

Overall, we should not complicate the issue of refugee integration. What refugees need most is straightforward, practical help when they first arrive: good legal advice, the right to work and choose where to live is a good starting point, as is access to free, high quality English language classes. After this, refugees are faced with similar problems to many low-income and unemployed people in the UK.

### **Counselling for all**

While refugees are being given less practical help, they are instead offered psychotherapists and counsellors<sup>3</sup>. From the beginning, the asylum process encourages people to emphasise their vulnerability and trauma, if they want to improve their housing situation or strengthen their claim for asylum.

People are encouraged to exaggerate mental health symptoms in order to change the adverse circumstances in which they live. We used to refer refugees to psychologists as an unusual and pragmatic measure, but now it seems that the very experience of being a refugee, both in their own country and in exile, automatically puts them in need of psychological treatment. Those working with refugees argue that there is not enough counselling for refugees, but many refugees who use counselling services are less in need of therapeutic intervention, than decent housing,

meaningful employment or legal advice. The Natural Growth Project at the Medical Foundation for the Care of Victims of Torture, for example, has refugees tending to allotments with psychologists and an organic gardener at hand. Can that really change people's situation? In most cases, somewhere permanent to live and work would be a much better idea.

While a small percentage of refugees are in acute need of specialist psychological treatment, the refugee experience should not be pathologised. Refugees should not be assumed automatically to be mentally ill, even if they have been through traumatic experiences. In non-acute cases, people would be better left to find their own 'closure', a process helped by drawing on family and social support networks.

The obsession with providing refugees with therapy stems again from mainstream Western culture, where social issues are frequently interpreted in emotional terms, and the government uses the language of therapy to relate to citizens. However, while our lives have taken on a more atomised character, many refugees still manage to find meaning by orienting themselves towards their community, religion and passionate engagement with the politics of their home country. It is often our own sensibilities that we impose on refugees as we try to make sense of our lives in these insecure times.

The 'counselling for all' policy does not prevent the few but real cases of acute psychological disorder from being overlooked at assessments, leading to tragedies; and it diverts attention away from the practical help which really makes a difference to people's lives. If refugees live in some of the most deprived areas of the UK, then they share the problems of other local people. While refugee organisations do not see these communities as being natural allies of the refugee, there are more examples of solidarity and neighbourliness than there are of conflict and tension.

### **Refugee resilience**

The image of refugees as vulnerable bears little relationship to reality.

Over the years, I have worked with and become friends of Chileans who have experienced Santiago's football stadium as a concentration camp, Colombians who have survived assassination attempts by death squads, former Zaireans who have been tortured in Mobutu's jails only to be detained in Pentonville Prison on claiming asylum in the UK, and Eritreans who have fled their country, waiting in the desert by day and crossing at nightfall to avoid dehydration and detection. They are a tribute to the resilience of the human spirit not to give up in adversity but to strive. They have rebuilt their lives and brought up families, learnt English and found work. They arrived in the UK on their own accord, often by buying false documents, paying people smugglers and bribing officials.

Government policy refuses to recognise refugees' resilience and independence. Those who arrive 'spontaneously' (under their own steam) are looked down upon, and officials seem to want instead a handpicked and carefully managed stream of refugees. The Gateway Protection Programme is a government gesture to show how it welcomes refugees who it can select in small, manageable numbers. With the help of the United Nations High Commission on Refugees (UNHCR), several families have been picked from refugee camps and brought to the UK without having to go through the asylum process. The criteria is that they are particularly vulnerable and do not have the money to put themselves into the hands of people smugglers to leave.

However, these people are little different to many asylum seekers who arrive spontaneously, in terms of socio-economic background and refugee experience. Their aspirations are similar – for peace and security first, and a job to regain independence. Once they arrive, the Gateway Protection refugees show a similar tenacity and perseverance of spirit. In Hull, where 12 families from the Democratic Republic of Congo have been placed, they have been housed in an area with a reputation for drugs and crime and live in terraces with boarded up windows. Some of their expectations have been met – for safety and a new life - but they had been led to believe that they would be given firm foundations for integrating into the new society.

In reality, there has been little input for these Hull refugees, and they have shown through sheer determination how people really integrate, finding their own way around, building relationships with their children's teachers and their English language teachers, and fighting battles with bureaucracy on their own. Some of their housing situation leaves a lot to be desired and the search for jobs has proved to be frustrating, but in the words of one Gateway Protection Programme refugee, 'the situation is teaching us, it makes us strong, the challenge makes us strong'.

## **Conclusion**

In a mean-spirited gesture, the government launched its refugee integration strategy in the same month that it took away from successful refugees the permanent right to stay in the country. Instead, after five years the situation in the refugee's home country will be reviewed and if it is deemed safe, they will be sent back. It is hard to put roots down when you are made to feel temporary.

With all the fanfare around the integration of refugees, there is no quick fix for what is a slow process. It is not helped by the hysteria about migration and numbers, nor does it help to try and separate people into the deserving and undeserving refugees. By aiming to win public sympathy for asylum seekers and refugees as vulnerable, refugee organisations do not move closer to a fairer society.

It is not a question of treating asylum seekers a bit better. Inhumane treatment can be avoided by not forcing them to go through the humiliating process in the first place, where they have to bear their soul to a disbelieving civil servant, who can make an arbitrary decision and send them home.

The tough measures to keep out of the UK those who want to earn a living or find safety leads to more people risking their lives and more irregular migration. Few people who are granted refugee status entered the UK legally. We can only offer protection to those who need it by allowing the free movement of all people.

We should welcome refugees to the UK, and remove bureaucratic procedures to decide whether they are worthy or not. Policy should focus on supplying practical help for refugees, and recognising their resilience and capabilities – while allowing them to draw on their social support networks in families and communities.

## **Endnotes**

[1] *Secure Borders, Safe Haven: Integration with Diversity in Modern Britain*, Home Office (2002)

[2] *Integration Matters: A national strategy for refugee integration*, Home Office (2005)

[3] *'Unheard voices': listening to Refugees and Asylum seekers in the planning and delivery of mental health service provision in London*. Palmer, D & Ward, K. London: Commission for Public Patient Involvement in Health (2006)