

Haslar Visitors Group

Annual Report 2003

- 1 Message from the Chairman
- 2 Statutory Information
- 3 Message from the Coordinator
- 4 Our Patrons
- 5 Balance Sheet 2004
- 6 Destitution
- 7 Asylum Crisis
- 8 No Sanctuary Here
- 9 Four Cases
- 10 Figures for thought
- 11 Persuading People to Return
- 12 Welfare
- 13 "I Almost Lost my Money"
- 14 What Can I Do?
- 15 GA-SO Form
- 16 Diary and Map
- 17 Backpage

from the Chairman

This has been another difficult year for asylum seekers. The new Act restricts even further the number of people who have the right to appeal, in this country, against a refusal by the Home Office to grant asylum. Protests by the nation's most senior Judges prevented the Government from removing entirely all rights to appeal further against an Appeal Determination. Despite this, the Government has made it much more difficult.

Drastic cuts in the legal aid available, and the excessive bureaucracy involved in getting it, have caused a number of the best solicitors to withdraw from immigration and asylum work. There is now a serious shortage of good solicitors in the field. It has become very difficult for asylum seekers to present a properly prepared claim.

Discrimination against asylum seekers, already one of the most vulnerable sections of the population, and vilification by the media and by politicians continues to increase. As we approach a new General Election, it is depressing to see two of the major political parties outdoing each other in demonising asylum seekers as a way of trying to win votes. They persistently refuse to differentiate between asylum and immigration. Immigration is already subject to strict controls on visas and work permits and there are still over 600,000 job vacancies (BBC News) in this country. Without overseas help the NHS would collapse and it would not be alone.

The right to seek refuge from persecution is a fundamental safeguard agreed by all civilised countries. To restrict it as far as has already been done in this country exposes many people to the danger of further torture and death. To withdraw from the 1951 Geneva Convention, as proposed by one party, would be a national disgrace. These attitudes are the more disappointing when one realises how many of our leading politicians come from immigrant backgrounds.

On a more positive note, our 'Destitution Fund' has received over £30,000 since it was set up late in 2003. This may sound a lot, but we still only provide up to £20 a week for food and expenses. We have supported about 40 people for varying periods this year and have now spent almost all that we have been given. The details are contained later in this report. The demand for help continues to increase. We are most grateful for all the support we have had, but to continue we need whatever further help you can give.

We much appreciate the support we have received from a number of individuals and Trusts, particularly Lloyds TSB, who have provided the funds we need to keep the Visitors Group going. The need to attract more funds continues and is made more difficult by the political and media attitudes already mentioned. We are very grateful for the work done by Mike Brown and Juliette Bijoux.

Finally, I would once again like to thank all visitors for their care for and interest in detainees throughout the year. You have helped many people in many different ways. Sometimes the limits on what one can do are frustrating, but your efforts are very much appreciated by the men concerned. Very best wishes to you all for 2005. Please keep going and interest some of your friends if you can.

John Bingham,
Chairman.

ANNUAL REPORT OF THE HASLAR VISITORS GROUP FOR THE YEAR 2004

LEGAL AND ADMINISTRATIVE INFORMATION

Registered Charity no. 1080187

Registered address: All Saints Centre, Commercial Road, Portsmouth PO1 4BT

Governing document: Constitution adopted 18th January 2000

Trustees:

Commander John Bingham (Chairman)

Mr Mike Brown

Revd Jeanne Christie

Mrs Mary George

Mr Richard Green

Mrs Jo Hunt

Mr Bosco Nyombi

Mr Jean Pierre Paternoster (Treasurer)

Mrs Jane Smith

Miss Trish Thomas

Mrs Margaret White (Secretary)

Bankers: Lloyds TSB, 272 London Road, Waterlooville PO7 7HN

Coordinator: Michael Woolley

Destitution Coordinator: Juliette Bijoux

Contact information:

Office address: All Saints Centre, Commercial Road, Portsmouth PO1 4BT

Telephone and fax: 023 9283 9222

Email: coordinator@haslarvisitors.org.uk

Website: www.haslarvisitors.org.uk

AIMS AND ORGANISATION

Purposes for which the charity is established: Relief of immigrants or refugees who are suffering hardship or distress or are in need, with particular reference, but without limiting the generality of the foregoing, to those who are imprisoned or detained by the Immigration Services of the United Kingdom whether in Holding Centres, Detention Centres, Prisons or Police Stations.

Organisation: The Charity is managed by an Executive Committee, consisting of the Trustees, which meets monthly. Day to day management is exercised by a salaried coordinator, Mr Michael Woolley, from the Haslar Visitors Group office. There is a monthly meeting for all members of the group to exchange information and receive reports from the Executive Committee and the Coordinator.

There have been no changes in the aims since the charity was registered.

Coordinator's Report

Changing Faces

There have been a number of new appointments in the immigration world in 2004. Beverley Hughes, the Immigration Minister, resigned after an immigration scandal in April. David Blunkett, the Home Secretary resigned after another immigration scandal in December. The Haslar Manager, Mel Jones, left without any scandal so far as we know, at the beginning of the year and was replaced by Carole Draper. At Haslar Visitors Group I have kept my job but been joined by Juliette Bijoux who now runs the Destitution side of our work. As the new year begins it is a special pleasure to welcome our new patron Lomano Lua Lua (see over).

Changing Legislation

The 2004 Asylum and Immigration Act joined the Acts of 2002, 1999, 1996 and 1993. This time the object of the exercise was to criminalize people travelling on false documents (though that is allowed by the Geneva Convention) and to remove rights of appeal to the High Court. If the Home Office had succeeded in this asylum seekers would have been the only people in the UK not allowed such rights. Fortunately the Lord Chief Justice and indeed the former Attorney General spoke out firmly and the worst aspects of the proposal were dropped.

Changing Regulations (1)

Not all the news is bad however. In June, following an adverse decision in the courts, the Home Secretary was forced to drop his controversial policy of denying basic food and shelter to asylum seekers who did not apply as they reached our shores. Ten thousand people had been made completely destitute by this policy in the year preceding its end. Unfortunately there are still large

numbers in the destitution trap – men applying to the Higher Courts do not get any support and those who, for a variety of reasons, make a second asylum claim on new grounds simply do not get any reply from the Home Office for months on end. No reply means no support and it is difficult to believe that not replying is not a cynical policy to save money and deter second claims.

Changing Regulations (2)

An attack on asylum seekers which has not needed any new legislation has been made by the Legal Services Commission (LSC) which has limited legal aid to just five hours. Five hours may be enough for a straightforward case but many of the cases are not straightforward at all (see the article Four Cases) and many of these difficult cases are quite literally matters of life and death. The LSC avoids criticism by a system of 'extensions' in special cases but one solicitor tells us that in order to get a £600 extension he had to sort out, copy and send no less than 90 documents. That practice, one of the best, is now no longer doing legally aided asylum cases. It is not alone: a number of the better solicitors have now given up legally aided asylum work. We now see large numbers of men who have no legal representative. A simple reform would be to automatically allow extra legal aid time for bail cases when a man has been detained for more than, say, three months.

Assaults

Haslar Visitors has played a small but honourable part in stopping men being assaulted as they are removed from the country. For some time there have been reports of this happening and at the January meeting of the Asylum Rights Campaign we suggested that such assaults should be monitored. The

preparation of a practical scheme was put in my hands and the committee fully backed this. After various discussions the scheme was eventually taken over by the Medical Foundation for the Care of Victims of Torture and a report came out in the autumn detailing a dozen assaults which had taken place in one three month period. Within six days of the information being published the Home Office announced that closed circuit TV would be installed in the removal vans which were the normal scene of the attacks. TV in the vans is something for which we have pressed for years.

Strain on Visitors

As the speed of removals has increased there has been greater strain on visitors who see men for shorter periods, without the pleasures of forming a friendship but with all the strain of being with someone who is very distressed and frightened. At least one visitor left this year saying that it was really too painful for her.

Strain on Men

The pain and fear of men about to be removed is palpable, whatever the strength or weakness of their asylum case. Some fears are undoubtedly valid – one man of whom we know went this year, more or less directly, from relatively comfortable Haslar to an appalling Rwandan prison and was only able to get out and contact us after a relative had paid a very large bribe. We suspect that such things happen regularly but that we don't hear of them because bribes aren't available.

Welfare

Another reason that men fear going is the manner in which removals are carried out. We are frequently asked to assist men who have been detained without any opportunity to pack their things or even to collect their money. Some have relatives or friends to help and some get our help - but some are sent away to third world countries in the clothes in which

they stand with the small change they had in their pockets when arrested. Sometimes they have been living in Britain for years. What a way to start a new life! In criminal prisons there are welfare officers to sort out such problems – not in immigration detention centres. There was a plan to appoint a welfare officer at Haslar at the end of last year but, as with so many things at the Home Office, it has been delayed. John Bingham writes on welfare issues elsewhere in this report.

Strain on Officers

The strain which affects visitors and men also seems to be affecting the Prison Officers who were recently reported as taking more sick leave than at any other prison in the country. However it should also be reported that one man has told us he would rather be at Haslar than at the much more newly built Harmondsworth – because the Haslar officers are better. Visitors too have noted a friendlier attitude among some of the staff.

Transfer to Immigration Service

Staff sickness may be the result of low morale connected to coming changes. In October 2005 it is planned to transfer the establishment from the Prison Service to the Immigration Service who will run it directly with many of the existing staff. Details of the new contracts have not yet been worked out but are of great interest to us as the old prison shift system makes for awkward and unsuitable visiting hours. It has long been an ambition of ours to see visiting from 2 – 9pm every day, as at Tinsley House.

A Word of Thanks

Gosport MP Peter Viggars is unable to be present at the AGM but wishes to express his "appreciation for the valuable work all the visitors are doing": so do I, our visitors do an amazing job.

Michael Woolley
Coordinator

Meet Our Patrons



Lord Sandwich ...

sits on the cross benches in the Lords, one of a small group of hereditaries elected by their fellow peers to continue in the House.

His career has included journalism and over ten years with Christian Aid as an Information and Research Officer. He has written two books on Africa "Prospects for Africa" and "Prospects for Africa's Children"

Lord Sandwich has visited Haslar on more than one occasion and met the Haslar Visitors Group committee in 2003. He has been a patron of the group since 2001

Lomano Lua Lua ...

the Portsmouth striker and captain of the national team of the Democratic Republic of Congo, came here to join his asylum seeker father in the late eighties.

Knowing the problems of being an asylum-seeker he has been very supportive to a number of men, most recently to ex-Haslar detainee Willy Mpasi, also from DRC.

Lua Lua has now agreed to be one of the Haslar Visitor Group patrons and is looking forward to visiting the removal centre to see for himself what the conditions are like. We are delighted to welcome him as part of our team.



Principal Account 2004

Brought Forward	5,384		
Grants Received		Staff costs	21,199
Hilden	5,000		
Anonymous donor	5,000	Administration	
Lloyds	15,000	Rent	1,101
Portsmouth Housing	640	Phone	835
	25,640	General Office	2,088
Gift Aid Addition	6,378	Car and travel	1,474
			5,498
Donations	2,431	Grants Made	
		Phone Cards	640
		Carried Forward	12,496
Total	39,833		39,833
Received this year	34,449	Spent this year	27,337

Destitution Fund 2004

Sometimes known as "Haslar Visitors Group Special Fund" this is a reserved fund now with its own bank account.

Brought forward	8,249		
Donations received	23,099	Grants made	30,620
		Carried forward	728
Total	31,348		31,348

Helping the Destitute

“Michelle” has a three year old son and gets a little help from social services for him (but not for her!). She believes she qualifies for the ‘family amnesty’ recently announced by the government but had no money to go up to London to discuss this with her solicitor and register her claim. Haslar Visitors paid her fare.

In 2004 our destitution fund helped 45 people for varying periods, first at the rate of £40 a week and then, as our funds ran low at £20 a week. In total we gave £30,620 in grants to needy asylum seekers.

A major change to UK policy at the end of June ‘04 means that basic food and shelter is now given by the Government to more than 10,000 asylum seekers who had not claimed at the moment they entered the country. This is very good news but there are still groups in considerable need as our examples show.

“David” put in an asylum claim and lost – but then got solid new evidence (in the form of a report from a SOAS professor) and made a new claim. Home Office policy for such second applications is to do nothing. They don’t force the person to leave but neither do they acknowledge the application – and until it’s acknowledged there is no government support. People – David is a good example – are left waiting for months on end without support and not allowed to work. Haslar Visitors are giving him a small grant.

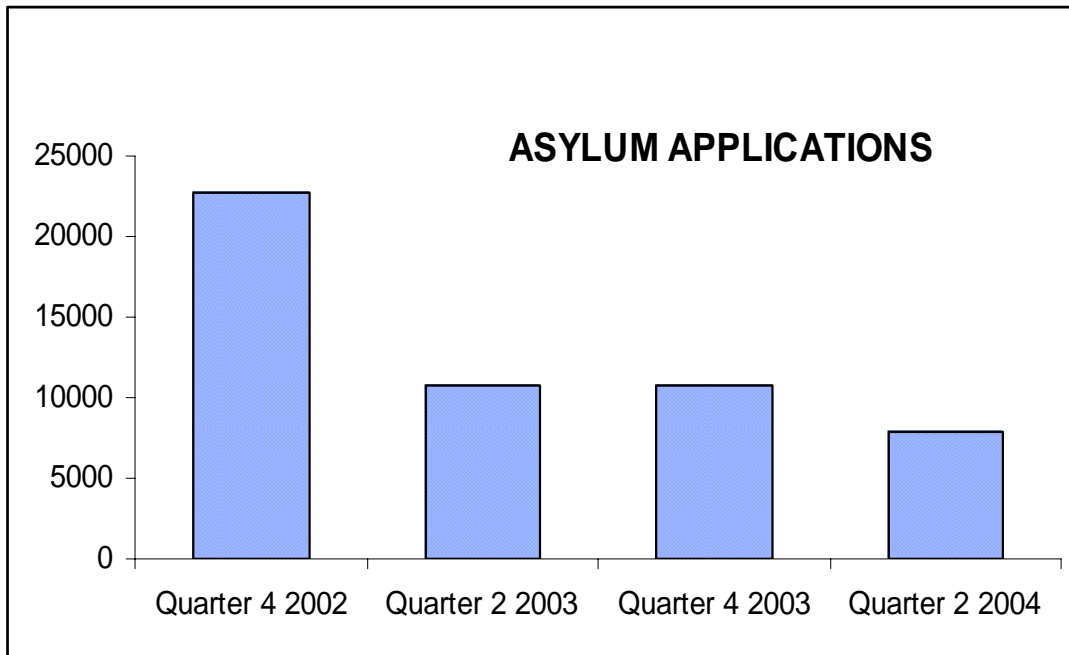
Often the problems are with a slow working bureaucracy. “Kumar” has agreed to go back to his own country, Sri Lanka, and so is eligible for the ‘hard case support’ given to destitute people who agree to return. But he and we have been pursuing this for weeks without getting anywhere. The Sri Lankan authorities can take months to issue travel documents. Meanwhile he has nothing on which to live so Haslar Visitors are giving him a small grant

I took over this side of Haslar Visitors Group work in November, relieving Michael Woolley to concentrate on the overall running of the group.

A big thank you to all our donors!
Further contributions are welcome and needed.

Juliette Bijoux

Destitution Coordinator



ASYLUM SYSTEM IN CRISIS? UNHCR Speaks Out

“The number of asylum seekers in industrialized countries has been falling sharply and is back down to the level of 17 years ago,” says a spokeswoman for the United Nations High Commission for Refugees (UNHCR). “The number of asylum claims in the UK is down by 41% from only two years ago: asylum claims are being processed more quickly than they have been for more than a decade”.

The agency is concerned about a recent call for a quota on asylum applications and withdrawal from the 1951 Geneva Convention on Refugees. Anne Dawson-Shepherd, UNHCR's Representative to the United Kingdom, was explicit “All these improvements and yet the debate on asylum is still raging as if the country was faced with an immense and uncontrollable influx. It is not.”

No state has ever withdrawn from the 1951 Refugee Convention.

* The above chart is based on official Home Office figures

No sanctuary here

Sue Gaisford

Britain, say tabloid newspapers, is a soft touch for refugees. But behind the barbed wire of Haslar's removal centre, according to people who visit it, asylum seekers endure humiliating treatment in a system worthy of Kafka

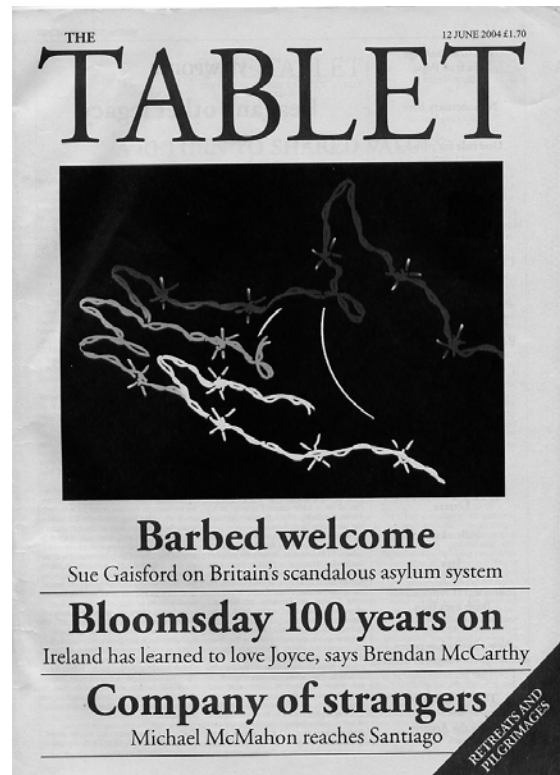
"JOHN" is a young Sri Lankan, the son of a shopkeeper in a village that lies between the opposing forces of the Tamil Tigers and the army of that island. Compliant and polite, he twice suffered brutal interrogation. Then he managed to get to England. Dr Tim Bushell, a retired hospital consultant, is careful in his description, and assures me he checked what he saw with experts. "I spoke to a chest physician who told me it is possible, though difficult, to hit someone so hard that he spits blood." This had happened to John, and his eardrum had also been ruptured by beating. "By 'torture' standards, this is nothing," said the doctor, smiling wanly, "but for a gentle 19-year-old, it was absolutely terrifying." John managed to get to Britain, yet he saw nothing of the country. After three years at the Haslar Immigration Removal Centre, he was returned to Sri Lanka. Nobody knows what became of him.

Unless (or even if) you live nearby, you might not have heard of Haslar. Once a barracks, later a military prison, it is still owned and run by HM Prison Service, its high walls surmounted by rolled razor wire. In among the confusing and contradictory surroundings of a busy port, a sparkling marina and the bristling military and naval base of Portsmouth, it contains 160 men – the majority of them seeking asylum and now locked away for 12 hours a day, awaiting either removal or, less frequently, the hearing of an appeal.

But none of these men are in Haslar because they have committed a crime.

There was a time when those who sought refuge, or asylum, were welcomed with sympathy and kindness. It was seen as nothing less than a Christian duty, and a privilege to boot. Now, however, the very vocabulary is debased and there is widespread mistrust and resentment. Much of this is based on glaring misconceptions, largely fuelled by the long-term and persistent scare-mongering of irresponsible newspapers, particularly the *Daily Mail*. "Britain is seen as the softest of soft touches", runs a typical headline. The truth is very different. Under pressure, the Government has pledged to cut the number of asylum claims, crack down on claims for benefits, and tighten border controls. At the last count, Britain was accepting just 2 per cent of the world's refugees. In terms of asylum applications per 1,000 inhabitants, it ranks only ninth in Europe: many other countries offer far more generous support.

The crackdown wins most people's approval, yet there are others in Britain concerned about the treatment of refugees, and the way they are dealt with. In Portsmouth one such group monitors the Haslar centre.



At the Dolphin pub, just outside its gates, four people were waiting, members of the Haslar Visitors' Group. I had already met their coordinator, Michael Woolley. A Quaker by conviction and a teacher by profession, he is an orderly man, careful, precise and, one feels, scrupulously fair. His indignation simmers beneath a measured, moderate vocabulary. The men, he says, spend on average five-and-a-half months in Haslar, although some can be held for years. While they are there they may attend classes in English, information technology and art; there is some medical provision, a gym and a small library; they are allowed an hour's exercise every day.

But for 12 hours a day they are locked into big dormitories, divided into what he can only describe as "agricultural" stalls, each containing three beds. The space is so small that the beds often touch. There are no tables or chairs and no privacy at all, even in the lavatories. Often the men are from different countries from the people they lie so close to and cannot communicate with them. Most of them are bored; many are depressed; some are seriously traumatised.

Also at the Dolphin and ready to corroborate and expand

on these views was Dr Tim Bushell, the group's medical adviser.

The doctor spoke, shockingly, about another young man who had become very frightened and was unable to sleep. Some of the staff at Haslar, he said, had exercised old-fashioned control/restraint procedures on this man, which involve twisting and stretching the joints: in full view of the other inmates, the man had been screaming in pain. Bushell saw him six months later, and he was still suffering from severe injuries to his knees, shoulder and neck. Who, you might wonder, is the torturer here?

And Bushell added, as a rider, that he had been visiting another prisoner who had been badly beaten (before coming to England). The doctor looked at the man's shoulder and took his hands to examine the scars, only to receive an official reprimand. By touching him, he was told, he had violated the man's human rights. Such incidents are beyond irony. But they are not unique.

Jane Smith was at the Dolphin, too. A strong and confident young member of the visitors' group, she was urged to tell me about her friend "Jack", but – suddenly overcome by tears – she couldn't. It transpired that the boy was only 16, had been sexually abused and had seen his father shot and his mother raped. Though he certainly trusts Jane, he has never been able to bring himself to tell her what happened to his sister. Jack was given bail for a while, then his tiny allowance was stopped. His appeal papers were sent to the address from which he had already been officially evicted by those who sent the papers (he is, incidentally, illiterate). Consequently, he failed to attend the hearing and he must now go "home". "He would have committed suicide", Jane said quietly "if he didn't believe that it was a sin." He would certainly not be the first to take that comparatively easy way out.

A recent opinion poll suggested that most people believe that Britain takes in 25 per cent of the world's refugees when the truth is that the figure is closer to 2 per cent. Those who are finally accepted have to negotiate the myriad, arbitrary rules supporting Britain's Kafkaesque asylum system. It is beyond the scope of this article to plunge into that labyrinth: it is way beyond the comprehension of most of those people, frightened and desperate, who come to Britain for help.

The fourth person in the Dolphin that day was Mary George, until recently secretary of the Haslar Visitors' Group. Highly articulate and well informed, she was ready with some fine examples of Home Office reasoning. Its refusal letters, she said, include some remarkable opinions: "You say that you were in a room into which soldiers sprayed bullets indiscriminately", one begins. "The Secretary of State does not, therefore, consider you to be an individual target." Another is even more bizarre: "You say that there is a sentence of death against you: the Secretary of State considers that this has not been carried out." Well no, actually, it hasn't. Not yet. It would be funny, if it were not so sad.

My intention was to accompany Michael on a routine visit to his friend "Anthony", but I was not allowed in. Later, however, on the telephone, Anthony told me his story. After being abducted and tortured by a brutal regime, he

escaped through a neighbouring country on a false passport. On arrival in England he was immediately "fast-tracked". This may sound like a good thing, but it is not. Anthony was unable – within the requisite 10 days – to muster documents to convince the tribunal of his integrity: his application was refused. His desperate hope is that his case might be reopened and given a fair hearing. Meanwhile, he says, he is confined for no reason. A lawyer and a Catholic, he kneels by his bed and he prays.

Anthony used to visit prisons himself, in his earlier life, and he knows what he is talking about. When he dares to imagine his future, he hopes to return to the law so as to improve the lot of those who find themselves in his position. He mentioned many examples of the casual, pointless harassment in the system. Here is just one: at Haslar the dormitories have wooden floors. Four times each night, officers fling open the gates, rattle their keys and stamp up and down. "Asylum seekers are vulnerable people", says Anthony "We do not need this treatment. We have done nothing wrong." Whatever euphemism is officially employed, he speaks the truth when he says: "We are indeed in prison and the world should know that."

What is to be done about all this? The answer given by the Dolphin Four is, like everything else about this situation, far from simple, though several objectives are clear. At the moment, 10 per cent of applicants are immediately given refuge in Britain, and 30 per cent more are allowed in on appeal. This is costly and wrong, they feel, and Britain should work towards a system that reverses these statistics. They believe it would be far better if the immigration service were run as it is in other countries, where the United Nations High Commissioner for Refugees (under independent supervision) takes responsibility for the consideration of asylum applications. Meanwhile, the medical system should be removed from the remit of the prison authorities, medical reports should be freely available (as once they were), and much more time should be allowed for the sensitive and careful questioning – by well-trained and responsible doctors and lawyers – of those who claim to have been tortured.

The Home Office, says the group, should accept and publish a list of countries to which it is simply not safe to return anyone: Somalia, Zimbabwe, the Congo and, of course, Iraq are among them. And, until the procedure is radically improved, there are many other smaller ways in which life could be made, immediately, just a little easier for the detainees. The telephone system, for example, could be improved: at the moment detainees receive £4 per week. A phone card costs £5 and buys (at Haslar) 15 minutes of time, for overseas calls.

But something, at least, is being done in Portsmouth, as in several other cities in Britain, where magnificent people give time – and often money, expertise and shelter – to some of the loneliest and saddest people on earth. What the Haslar group has done is to accord them help, safety and a proper acknowledgement of their human dignity and of their plight. What these refugees need, in a word, is sanctuary.

From The Tablet 12/06/2004

The men in Haslar are
all immigration
detainees. What sort
of problems do people
face with British
Immigration? **FOUR**
CASES from 2004
illustrate some of the
problems.

1) A HIGH SECURITY PRISONER

In April 2004 the Visitors Group sent this advice to some men in Haslar.

“You are a Liberian and the United Nations High Commission for Refugees (UNHCR) is advising the British Government not to remove anyone to Liberia at present. If they do try and remove you please show them the enclosed fax from the UNHCR and politely but firmly decline to go. Immigration is still trying to send people to Liberia but they will almost certainly change their minds if you show them the fax while it is still relatively up-to-date.”

One of the three men was released, a second is still in detention and the third spent 18 weeks in a high security prison in the UK. His visitor explains what happened:

V. had arrived in London legally on a 6 month visitors' visa to live at his aunt's. After the 6 months, asylum was refused, as was a further appeal, and 2 applications for Judicial Review. All this, despite the chilling facts that his mother had been killed in cold blood; his home destroyed; his brothers fled. The Home Office expressed the opinion that 'his case is not considered to be sufficiently compelling and compassionate.'

He was detained and sent to Haslar in April 2004, bail was refused, even though there was acknowledgement of a fax from UNHCR strongly advising against returning any asylum seeker to Liberia at that time.

V. suffered both mentally and physically because of the harassing treatment of the Immigration Service. Within one week he was served 5 Removal notices, 4 of which were cancelled the following day. During this time a number of letters and faxes were sent by others on his behalf and a question was tabled in the Lords, but to no avail.

On 4 May, V. was first taken to Campsfield removal centre and then, in the early hours with 3 Wackenhut security guards, to Gatwick Airport. In the secure unit at the terminal, he refused to leave. V. was then brutally set upon by 2 of the guards – kicked; punched; his head held in an arm grip; pushed to the floor. When he retaliated, he was taken to Crawley Police Station and held all day and overnight in a cell. (He hasn't seen his clothes, papers, all his belongings, since that time.) He was allowed to phone his aunt, to be seen by a nurse, and the duty solicitor –who turned out to be surprisingly sympathetic and actually believed his story.

V. was charged with causing 'Grievous Bodily Harm' - later reduced to a charge of 'Common Assault'. Eighteen weeks later, he was found guilty of the latter charge, but given 'technical' bail, which meant he remained in High Down high security prison until he succeeded in getting 'immigration' bail. V. was eventually, but briefly, given immigration bail and his freedom, before being re-detained by the Immigration Service in January 2005.

Thelma Percy

- *Assaults on removal have declined sharply since a recent report by the Medical Foundation for the Care of Victims of Torture.*
- *V has received no compensation for his lost belongings.*
- *One of those standing bail was a member of our group.*

2) WRONGLY ACCUSED

L entered England illegally about 4 years ago to work. He wanted money to finish building a house, and get married. He left behind a mother suffering from cancer. He took a job in a chicken factory, attended night school to improve his English and was saving money, albeit in another Algerian's account as he did not have one himself.

Then the police raided his house and arrested him as a terrorist. They had been investigating the Algerian with the bank account and said they had been watching L. Eventually he was told he was not a terrorist, but that he had immigration problems. He was sent to prison for having false documents and when his sentence ended he was kept in prison longer until he was sent to Tinsley House and then to Haslar.

His dealings with the police were in his real name as is his claim for asylum which stems from the fact that while being held as a terrorist the police contacted the Algerian police and his name appears as a suspected terrorist on the internet. He is worried about being sent back as two men arrested with him have already returned. One has disappeared and the other is in prison. Amnesty International has said that people like L should not be sent back to Algeria.

He has now spent over two and a half years in prison or in detention. His solicitor obviously has faith in him as she has applied for Judicial Review many times though without success until now.

Recently L was taken to Tinsley House Removal Centre (Gatwick) with less than a day's notice in order to be put on a flight to Algeria. Fortunately his solicitor stopped this and he is back in Haslar. Apparently the Home Office have written to his solicitor apologising for having tried to remove L and offering to repay the money she spent stopping the flight. She had used her own money for this. Also at long last L's case is going to Judicial Review and his solicitor is going to ask for bail for him.

Margaret White

- *L's problem is not uncommon – that whatever his position with his own Government when he left his own country, he is now not welcome or safe to go back.*
- *L is still in Haslar and receiving regular visits from a member of our group.*
- *A Home Office country report* says: "Given the nature and degree of violence that prevails in Algeria, extreme caution should be exercised in considering the return of rejected cases." This is reinforced by Amnesty International, which found that "torture in Algeria remains prevalent and systematic in nearly all cases involving alleged links to what the government describes as 'acts of terrorism or subversion'". Amnesty says security forces "repeatedly tortured political activists arrested ... protesting against [the] government".*

**Home Office country reports were considerably revised and reduced during 2004 and that for Algeria has now being withdrawn altogether.*

3) FROM ZIM TO KAFKA

J came from Zimbabwe in November 2003. Black Zimbabweans now need a visa to come to the UK and to get this they have to queue outside the British Consulate in Harare. J had good reason not to be seen doing this and so made his way to Malawi where he was able to buy a Malawian passport. With this he came to Britain, explaining his situation to the airport immigration officer (it being specifically permitted, under international rules, to travel on false papers when genuine ones cannot be obtained).

J was placed in immigration detention not as a Zimbabwean but, despite his protests, as a Malawian. As such he was assigned a solicitor and “fast-tracked”. The solicitor was not very good and J’s claim failed. At that point J feared being put on a plane to Malawi from where he could (after the British enquiries about his passport) have expected to be sent straight back to Mr Mugabe. His MP saved him from being put on a plane immediately and instead he was sent to Haslar. There he made contact with the Visitors Group and started Judicial Review proceedings to establish his nationality. At that time the British were not returning anyone to Zimbabwe so if he could establish he was Zimbabwean he could expect automatic release.

In July he was moved to the Immigration Removal Centre at Harmondsworth where the authorities lost all his legal paperwork. He was then moved again to the Immigration Removal Centre at Dungavel in Scotland, far from the contacts he had made in London and the South and in a different legal jurisdiction.

In August 2004 a Haslar Visitor, ticket paid by a London contact of J, flew up to Scotland and stood as a surety to get J out of detention. He was free at last – but, as a ‘failed’ asylum seeker, without the right to any accommodation or financial support from the British Government

- *The Home Office response to the current situation in Zimbabwe was to make all Zimbabweans apply for visas. This has greatly reduced asylum applications .*
- *The ‘fast track’ system, which was experimental when J went through it, is now to continue indefinitely. J’s case illustrates the problems with a system which deals with cases so fast that there is no time to get essential evidence sent from abroad. His birth certificate only caught up with him when he was in Haslar, long after his fast track case was over.*
- *J was not alone in losing his possessions in Harmondsworth. The majority of the 400 men moved in July after a disturbance lost their property. As most will be removed from the UK it is unlikely that any significant compensation will have to be paid. Asylum seekers are easily exploited even when in official custody.*
- *Case workers sometimes suspect that men are moved around the detention estate in order to frustrate their friends and contacts. J was held at five removal centres in the course of his nine month detention. Sending someone to Scotland makes things particularly difficult.*
- *In December 2004 the United Kingdom quietly restarted returning ‘failed’ asylum seekers to Zimbabwe.*
- *J is still free on bail and still in regular touch with the Visitors Group.*

4) FALLING IN LOVE

Thirty-four year old A. from Algeria had been in London for over 7 years reporting monthly to the Home Office in Croydon. He had never claimed any benefit or committed any crime. In May 2002 he married M. a Moroccan woman who was running a café in Streatham, and who had the right to remain in UK.

On 23 December 2002 A. was arrested without warning while reporting routinely at the Home Office in Croydon. His wife, then 5 months pregnant and distraught, spent the next four months travelling round the country to visit him as he was repeatedly moved between detention centres prior to removal. (Her private solicitors pocketed £600 doing nothing, and then A.'s solicitors lost M.'s original Moroccan passport with the vital right-to-remain stamp).

A visitor agreed to stand bail for A in May. A. wanted to stay and support his wife at the imminent birth, and this was granted. The visitor and M stood repeated bail over ten months until A's application for bail renewal was finally refused, and he was told he must report to Immigration at Heathrow and leave the country within a week. With help from solicitors A. filled in papers to enter UK; the visitor and her husband wrote letters of support. A. left UK on Air Algeria at his own expense on Sunday 29 March carrying these papers and letters with him to make a new application from his own country. Surprisingly Immigration at Heathrow had no record of him. Immigration at Croydon was 'phoned and subsequently faxed with the entire details of A's departure. (A month later the visitor was informed by letter from Croydon that she was liable as A was failing to report!)

On arrival in Algiers, A. found the British Embassy shut for security reasons so immediately travelled to neighbouring Tunisia to apply for an Entry Visa. This was not granted, the verbal reason given by the Tunis Entry Clearance Officer being that she could see A. was a liar and that he had invented this marriage of convenience. The visitor, the visitor's husband, M his wife, M's MP and the solicitor all faxed and telephoned the Entry Clearance Officer (ECO) over weeks and months, to hear various stories. A. had to remain waiting in Algiers while his wife worked daily in a convenience store with her year-old baby beside her, faxing her payslips regularly to prove to the Tunis ECO that she could maintain her husband if he returned.. The solicitor heard eventually from Tunis that permission for him to enter UK was refused.

M. acquired a full British passport. In November 2004 the solicitor suggested suing both the Home Office and the Entry Clearance Officer in Tunis; she prepared the case, and informed them that proceedings were being filed. Suddenly there was NO problem: A. should apply in Tunis where permission would be granted, which he did, and where it was. He arrived home in UK in December 2004 with right to remain in Britain for 2 years.

The solicitor now wishes to proceed against both Home Office and the Tunis Entry Clearance Officer: A. is unsure whether this would prejudice his application for long term right to British citizenship ... but negligent and wilful injustice has been done to him and his family, and the visitor thinks the British authorities should learn from their mistakes.

- *A. was lucky to have a forceful and well-resourced advocate. All too often incompetent solicitors and cynical civil servants succeed in denying justice – particularly with someone like A, anxious not prejudice his long term case by complaining.*
- *It is normal for a failed asylum seeker in a long term relationship to be made to return to his own country and apply for a 'spouse' visa. These are sometimes granted.*

UK Job Vacancies
3rd Quarter 2004

648,000

Net immigration into the UK
Average per Quarter 2004

37,500

Asylum Applications
3rd Quarter 2004

8,605

Asylum Applications Allowed
3rd Quarter 2004

2,515

All figures from the Office of National Statistics.

Voluntarily Return

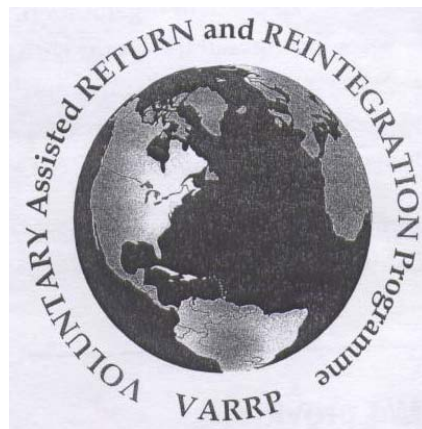
Persuading people to return voluntarily could save a great deal of money and trouble.

Home Office Refusal Letters and Determinations contain, in one of their final paragraphs, the statement that the recipient can no longer remain in the U.K. and should make arrangements to return to his own country. The recipient is urged to contact the International Organisation for Migration (IOM).

2. If people responded constructively to this, the Home Office would be saved much trouble and expense. In practice, however, the paragraph is widely ignored. There are several reasons for this.
 - a. A belief that all is not lost and that the Home Office decision can be overturned,
 - b. On receiving such a letter, the recipient concentrates on the fact of the refusal. He/she is thrown into a state of shock, even if the result was, on one level, expected. The paragraph about return is hardly read and certainly not taken in,
 - c. The recipient has probably never heard of the International Office of Migration and often assumes that getting in touch with it will only accelerate his/her departure before any other avenue has been explored,
 - d. The Refusal Letter/Determination is not followed up at a time when the recipient might be more receptive to the idea of return. It is relevant that any other organisation to which one has a debt or obligation sends out at least one reminder, usually two, before taking legal action.
 - e. The refused asylum seeker may well have no living near relatives left in his own country and have sold everything in order to pay for his passage to U.K. He may even, on return, face a demand for repayment of money borrowed to pay for his flight here.
3. The main Home Office response, as contained in recent legislation, has been to reduce the right of appeal and reduce the availability of legal support for any further proceedings. This is ineffectual, as it does not address any of the above problems.
4. The belief that the Home Office decision can be overturned can only be overcome by increasing the confidence of the asylum seekers, their supporters and friends, and the legal profession in the quality and fairness of the decision. This has often been said before and some improvements have been made. The presence of a UNHCR quality control team at Croydon should result in further improvements. While the outcome of this exercise is awaited, the other reasons for the poor response to the recommendation to consult the IOM can be addressed.
5. Return to the country from which a person has fled, for whatever reason, is yet another “life changing” event. People will not be persuaded to take positive measures towards this by a “post script” to a letter which is primarily directed to another subject. Nor will they be persuaded to consult an organisation recommended by the Home Office (who has just rejected them) without knowing a lot more about this organisation.
6. There are several steps which could produce a worthwhile improvement. These could be taken now. They include:

- a. Producing a “Glossy Brochure” explaining what the IOM is, its independence, how it works, how it can obtain travel documents and air passages, the procedures it uses, the financial grants and resettlement help that may be available, any forms that have to be filled in and/or how to get an interview, and any other assistance that it can give. The current black and white leaflet needs a complete re-design in colour.
- b. Sending out the new Brochure with the Refusal Letter/Determination and drawing attention to it in the letter, as now.
- c. Sending out a firm Reminder Letter several weeks after the despatch of the Refusal Letter/Determination, with another copy of the IOM Brochure. This letter should emphasise the positive benefits of working with the IOM as against waiting for the Home Office to take action. It needs to be positive, non threatening but clear that the Home Office will take action if the recipient does nothing.
- d. Making Home Office assistance available to people being removed and making sure that they know that it is available. Assistance should ensure that any person to be removed from this country travels with :
- (i) sufficient, appropriate , clothing to meet his needs for a reasonable period after his arrival and
 - (ii) sufficient cash to enable him to get from the airport of arrival to his destination in his own country and to enable him to live for a short period while he finds work.
- Where the person to be removed is destitute, these provisions will have to be met by the Home Office. The Detention Centre Rules (Rule 12(3)) already provide for the issue of clothing, although the scale may need to be more generous than at present. The size of cash grant required is likely to be less than the cost of keeping a man in detention for one day.
- e. Devising a procedure that enables those detained to opt for return through the IOM. This may mean releasing them on short term TA, with benefits, once they have signed to return and have co-operated with the Home Office. They would be liable to be re-detained if they failed to pursue return through the IOM, as this could be a condition of the grant of TA.
7. The amount of staff time and effort involved in implementing the above should be small in comparison to the savings that are possible by increasing significantly the number of people who return voluntarily through use of the IOM.

John Bingham
Chairman



WELFARE IN REMOVAL CENTRES

Men are being “returned” to countries they have not seen in years without any of their money or belongings.

Many welfare problems stem from the way in which people are arrested and detained. The procedures used at present may be appropriate to criminals, who have family and friends to look after their property. They are not right for immigrants and asylum seekers.

All those detained should be allowed to pack approx 25 kilos – 2 suitcases - of luggage. If they are detained at home, they should be allowed themselves to pack whatever they choose to take. Immigration Officers should not attempt to pack for them and they should be allowed adequate time. They will be under strain so should not be rushed. Immigration Officers should have a check list of essential items and go through this with the family/detainee before leaving their home, to ensure that nothing vital is left behind. If they are detained when reporting, at a police check or anywhere else away from home, they should be escorted home to pack their possessions.

For those who are co-operative, or for families for whom disappearance is often not an option, the Home Office should consider giving a few hours warning so that they can pack without so much stress. Losing track of a few may be worth the gain in humanity and co-operation from the remainder.

The Home Office may argue that all this will take a lot of Immigration Officer time and so cannot be done. If detainees are to be “treated with respect as individuals” (WHO Guidelines) this time must be spent. It will lead to fewer troubles in detention.

Disposing, packing or otherwise arranging for houses, businesses, household goods, cars and clothes is a major cause of anxiety for detainees. This is particularly so for those who have been in the UK for some years. Even those only here a short time have clothes, money and personal items they do not wish to lose. Every detainee’s problem is different.

The humane solution, and that most in line with the “Duty of Care” is to empower the detainee to make his or her own arrangements. This could, in many cases, be done. It is not sufficient to rely on the good offices of friends and relations, if there are any. Improved communications - more telephones, cheaper cards, more access to fax and internet, would all help to resolve some of these problems. Facilities are also needed to gain access to bank accounts, to close accounts and to transfer money abroad.

Detainees should be able to store luggage at Removal Centres and have access to it. They can then sort out what they can take within their baggage allowance and decide what to do with the remainder. Better, earlier information on departure airports, flight times and access for relatives at airports will also help those being removed to depart with as many of their possessions as possible. All these measures will reduce non-cooperation.

It is not acceptable for a detainee with problems to be told by Centre staff and Immigration Officers “not our problem; nothing we can do” as often happens now.

The Home Office have agreed to appoint a Welfare Officer at Haslar for 12 months, as a pilot scheme. The Job Specification was issued in October last. There have, unfortunately, been delays in advertising the post. Other trials of better telephone access and even limited internet access are being considered at other centres. Any improvements will be welcome.

John Bingham

I almost lost my money...

I was arrested by the British Immigration on 23 November 2004 and detained at IRC Harmondsworth. When I was arrested the police informed the bank which then decided to block any further transactions.

I could not support detention and told the Immigration I wanted to go back to my country but the problem was how could I go back home without my money? I had worked hard for four years and saved just over £5000. I decided to take the following measures:

- I wrote to the HSBC bank and told them to close my account and forward the closing balance to a friend's account – but I got no response.
- Then I tried giving my bank card to a relative to try and collect money from a cash machine – the machine took the card.
- Then I tried to reach the bank by phone from a call centre - but the call centre refused to connect me with the branch. Their only advice was to visit the branch personally - but I could not do this as I was in detention.
- I asked Immigration to take me to the bank - but they rejected my proposal saying “it's not our problem”

From that moment I was desperate and thought I had lost the money. I was transferred to IRC Haslar and was waiting for Immigration to send me back. I explained my problem to those who would listen and someone mentioned the Visitors Group. So I called the number and got an answering machine and was told to leave a message which I did. I was told someone would reach me soon and a day or two later I got a call from Mr John.

I explained my problem and he assured me he would contact the bank. Two days later he sent me two letters, one a letter of authority in which I had to fill the bank details giving him authority to go to the bank and collect the money. The other was a normal letter for me to sign telling the bank I had given the letter of authority to Mr John. I sent the letters off to the bank and Mr John.

A week later I received a phone call from Mr Michael, who was already back from his holiday, saying they had not received the letters. He assured me he was going to write another letter and fax it to me which he did. He told me he would visit me that afternoon for us to talk so I could explain my worries, which he did.

A few days later he called to say there was some problem with the bank, which didn't want to give cash but it was sorted out and everything was moving on smoothly. From what he said I felt relieved and knew my dream would come true.

On 27th January, two months after my arrest and one month after calling the Visitors Group Mr Michael called me and informed me he had the money. I could not believe my ears and really felt excited because I had thought I was going to lose it. The end of all my worries and sleepless nights was when he came to my detention centre the next day and gave me the receipts for the Western Union for the payments he had made on my behalf.

I would like to thank Mr John and Mr Michael and the Haslar Visitors Group for all the help they gave me and for all they are doing for all the other detainees who are desperate.

A Detainee

WHAT CAN I DO?

We need more visitors! It takes one morning or afternoon a week, there's a monthly drop in for those who wish (see opposite for dates) and two training Saturdays a year. To help with non-judgemental visits to asylum seekers detained in IRC Haslar contact us and:

BECOME OR RECRUIT A HASLAR VISITOR

Phone Michael Woolley: 023 9283 9222

email: coordinator@haslarvisitors.org.uk or write to:

Michael Woolley, All Saints Centre, Portsmouth PO1 4BT

Website: www.haslarvisitors.org.uk

Let your MP know what you think, and ask him to tell the Ministers (Charles Clarke and Des Browne). Remember 10 letters on any one issue is a big postbag for MPs. To find your MP try www.faxyourmp.com or contact us with your postcode .

WRITE TO YOUR MP

House of Commons, London SW1A 0AA

Haslar Visitors Group regularly supplies speakers to schools, colleges, churches etc. Consider suggesting one of our team as a speaker for your group.

INVITE A SPEAKER

Phone Michael Woolley: 023 9283 9222

email: coordinator@haslarvisitors.org.uk or write to:

Michael Woolley, All Saints Centre, Portsmouth PO1 4BT

BECOME A 'FRIEND OF HASLAR DETAINEES'

Friends receive an occasional brief newsletter (normally two sides of A4) to keep them in touch. We suggest a minimum subscription of ten pounds a year and proceeds go to the welfare of asylum seekers, whether detained or at liberty. To join fill the form overleaf and:

Phone Jo Hunt: 01243 531624

email: joanna@jfhunt.fsnet.co.uk or write to:

Mrs Jo Hunt, The Rectory, Tower Close, Chichester PO19 1QN

SEND A SUBSCRIPTION

We are always very grateful for subscriptions, whether or not people want to become a 'Friend'. Subscriptions will normally be paid into our general fund from where they may be, and often are, transferred to our Destitution Fund.

Haslar Visitors Group is a Registered Charity 1080187

This is a multi-purpose form – please fill in the first part and such other parts as are relevant to you. Donations will normally be put in the General Fund but money from this is often transferred to the Destitution Fund.

Name: _____

Address: _____

Post code: _____

Phone no: _____

Friends of Haslar Detainees

Please enroll me as a Friend and send occasional news – a subscription of at least £10 is enclosed (tick)

Gift Aid Certificate

- Donations from taxpayers can be supplemented by a grant from the Treasury.
- Our treasurer will make the claim, the only thing needed of the donor is that they sign below to confirm that they are paying tax.

I am a taxpayer and claim Gift Aid

Signed: _____

Standing Order

To the Manager: please pay Haslar Visitors Group the sum below by standing order until further notice. The Haslar Visitors Group account is with Lloyds TSB, Waterloooville. Sort code: 30-99-20 Account no: 00985875.

Monthly amount: In figures £ In words: _____

Date of first payment: _____

Bank and branch: _____

Bank codes: Sort code: _____ Account no: _____

Account name: _____

Signature _____

Please return this form to: Haslar Visitors Group, All Saints Centre, Commercial Road, Portsmouth PO1 4BT Phone 023 9283 9222

Haslar Visitors 2005 Diary

Visitor Drop Ins:

All Visitors are welcome and encouraged to drop into the upstairs Conference Room at All Saints for tea, talk and exchange of ideas between 4 and 6pm on the following Wednesdays:

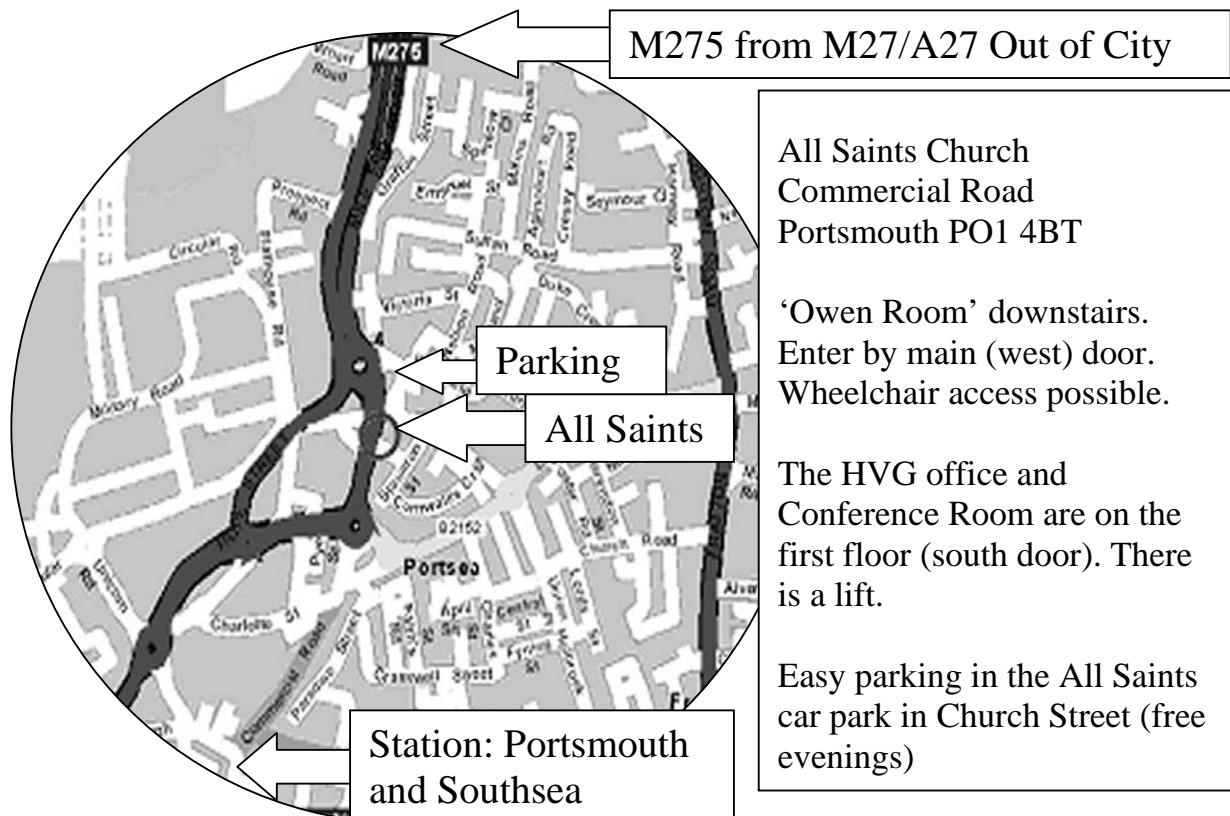
2nd March; 6th April; 4th May; 1st June; 6th July

Come and go as is convenient. This is an experimental programme and the new committee will decide whether to continue it after July.

Committee Meetings:

Provisionally these will be at 6.30pm on: 15th March; 12th April; 17th May; 14th June; 12th July; 13th September; 11th October; 15th November. The new committee may revise these dates.

Portsmouth



'Times' letter 24th November 2004

RETURN AT ANY COST

The Government's decision to start sending unsuccessful asylum applicants back to Zimbabwe* is astonishing. As government officials must know, Zimbabwe is systematically repressing all opposition — through arbitrary arrests, torture, political killings and new legislation to curb freedom of speech and assembly.....

This year, the Home Office began forcibly returning male asylum-seekers to southern Somalia**, which has no effective national government, justice system or police force, and where fighting between armed factions continues.

Despite the manifest insecurity in Iraq, the Home Office is also pursuing plans for the enforced return of asylum-seekers even there.

When it comes to asylum, a “return at any cost” culture now appears to reign at the Home Office.

KATE ALLEN,
Director, Amnesty International UK.

* A number of Zimbabweans have been ‘returned’ from Haslar recently.

** Two Somalians were returned from Haslar recently.