Scottish Faiths Action for Refugees

Official Response

SUBJECT: Destitution and Asylum in Scotland
REQUESTED BY: Equalities and Human Rights Committee – The Scottish Parliament
DATE: Wednesday 8 March 2017
SUBMITTED BY: David Bradwell dbradwell@churchofscotland.org.uk

1. Scottish Faiths Action for Refugees is a partnership project between Scotland’s main Christian, Jewish, Muslim and Interfaith organisations. It seeks to co-ordinate and promote action by faith communities in Scotland to support asylum seekers and refugees. Further information about the project can be found at www.sfar.org.uk

2. We would like to express our gratitude to the Committee for initiating this inquiry and for the opportunity to contribute.

SUMMARY

3. We believe that the principal issues for decision makers at a Scottish Parliamentary / Scottish Government level are that:

4. There is an urgent need for the provision of basic humanitarian support for destitute asylum seekers.
   - Destitution and poverty is causing mental and physical harm to people who are seeking asylum and living in Scotland
   - The demand on charities for help is greater than they can offer
   - Consideration should be given to whether it is appropriate in devolved areas such as health, housing, welfare and related matters, policies should be implemented to mitigate the health and wellbeing impacts of destitution and poverty in the asylum system. The Bed-Bad-Brood movement in the Netherlands is one example.

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1 The partnership is between Action of Churches Together in Scotland, the Church of Scotland, Interfaith Scotland, Justice and Peace Scotland (for the Catholic Bishops’ Conference of Scotland), the Methodist Church in Scotland, the Muslim Council of Scotland, Quakers in Scotland, the Scottish Ahlul Bayt Society, the Scottish Council of Jewish Communities, the Scottish Episcopal Church, The Salvation Army – Scotland Office, the United Free Church of Scotland and the United Reformed Church, National Synod of Scotland.

2 We are able to give oral evidence. We would also be happy to arrange a visit to see Anderston Kelvingrove Church in Glasgow (which currently houses the Glasgow Night Shelter for Destitute Asylum Seekers), either during the day to find out how the local congregation is managing, or during the hours of operation 8pm-8am. We would also be happy to connect the Committee with refugee support organisations in the Netherlands to provide further information about the Bed-Bad-Brood campaign and provision of asylum shelters, and / or to arrange a visit to the Netherlands to see how the shelters operate in the context of Dutch policy.
5. **There is an ongoing need for better understanding of asylum policies and what these mean for individuals.**
   - The complexity of the asylum system is not widely known; many people, including faith leaders, will not know the difference between ‘destitution’ as a specific reference to mean the situation when a refused asylum seeker is made homeless and has no recourse to public funds, compared with the very low standard of accommodation and limited support for asylum seekers awaiting status.
   - Although people who work directly alongside individuals may be very aware of destitution as a result of policy decisions, the legal framework of asylum and refugee processes can be difficult to understand, even among those who support projects tackling homelessness, food poverty and social isolation.

6. **Most faith based responses begin from the starting point of respecting the dignity of the individual, which is a view often lost in debate about budgets, numbers and processes.**
   - Faith-based support services will not ask about an individual’s immigration status nor will they keep records of whether someone using a service is a destitute refused asylum seeker or not. (The provision of care and support will be offered as a general service; as such many voluntary and charitable projects run by local faith groups do not keep records or data on the people they work with. A food bank will give to those who are hungry. An English class is available to those that want to learn. A night shelter will be open to those who need a place for the night – whether or not they are citizens of the UK, EU or another country, or whether they are a refugee or asylum seeker.)
   - Racism exists in Scotland and often religious hatred is used as a proxy for racists and xenophobes.³ Political and civic life must not be complacent, particularly within a global context which has seen a resurgence of nativism and ethnocentric populism in many western countries.
   - The cross-party political response in Scottish local authorities and in the Scottish Parliament of a willingness to participate in refugee dispersal and resettlement programmes, and of a shared sense that racial and religious hatred has no place in Scotland is welcome.

**LOCAL RESPONSES**

7. We have sought ideas and experiences from local faith groups in and around Glasgow.

8. This story from a Church of Scotland Minister in Glasgow illustrates the point:

³ The Hate Crime Scotland website for Third Party Reporting states that “Religious and racist Hate Crime are often intertwined and it can be difficult to work out if a perpetrators motive is based on one or the other or both."

http://www.hatecrimestotland.org/what-is-hate-crime/religious-hate-crime/
Every home I've ever been in of our A.S. folks is horrible - badly furnished, badly decorated. In addition, one of our families recently told me that their food bank has decided not to support them any more - no reason given. This same family were moved from Springburn to Summerston with little notice because of overcrowding. They were moved into a 16th floor flat in Summerston with 2 bedrooms (from a 1 bedroom) - they have twin boys, a 4 year old boy on the Autism spectrum and a 6 year old daughter. After several months asking for something bigger they were relocated to Drumchapel. Two bus journeys from the church where they are loved and supported. They have not been granted leave to stay yet but their wee boy, who is clearly autistic, is not allowed to be assessed or receive any of the Services ordinarily available to children and parents living with this disorder... I don't know about destitute as most folks would understand it but it seems to me that all Asylum Seekers are just that! No friends, no family, no dignity found in work, nothing - but lots of verbal abuse.

9. Many of the contacts between faith groups and asylum seekers happen in the most deprived parts of Glasgow, because this is where a higher number of asylum seekers are housed. This often means that very real humanitarian need is placed on congregations which might be least be able to afford additional expenses. A second story from a different Church of Scotland Minister highlights what this means for their congregation:

   We are currently supporting a family financially and emotionally. It is draining on our resources which are very thin but we are doing what we can. Who knows how it will end?

10. Through the work of GLADAN – Glasgow Destitute Asylum Network – local faith groups can engage with and support other groups offering assistance.

11. One such group is the Glasgow Night Shelter for Destitute Asylum Seekers, which offers accommodation for men 365 nights of the year. The Glasgow Night Shelter for Destitute Asylum Seekers is an independent charity, but the actual shelter is housed in Anderston Kelvingrove Church of Scotland The building also provides accommodation for the Church of Scotland’s Priority Areas Team (facilitating the Church’s work in its poorest communities across the country, Faith in Community Scotland (an interfaith anti-poverty organisation working across the country) and the Poverty Truth Commission. If members of the Committee would be interested to visit the Church during the day to meet some of the local congregation and partners and to see how the shelter operates inside a busy church building, we would be happy to arrange this. Alternatively, if the Committee would like to visit during the Glasgow Night Shelter for Destitute Asylum Seekers' hours of operation (8pm-8am), we would also be happy to help facilitate this.

12. One of the volunteers writes:
Glasgow is one of the main UK cities to which the Home Office disperses asylum seekers, so there are large numbers of asylum seekers here, both those who are currently in the official support system and those who are, at least temporarily, no longer being supported. We are a group of over 50 committed volunteers, male and female, from all walks of life and a wide age range, who find it completely unacceptable to deliberately make people street destitute, all the more so when these people are often the victims of persecution and even torture. We thus run the Glasgow Night Shelter for Destitute Asylum Seekers.

Every night for almost 5 years now we have been using a church hall to shelter destitute asylum seekers and also non-EU migrants who are unable to access homeless services. The men turn up for the first time at our door cold, hungry, tired, frightened, totally demoralised - and become our welcome guests. We have the overnight use of a tv/dining room, a kitchen, washing facilities and a large hall where the men sleep on good quality mattresses with plenty of bedding. We would very much like to offer the same provision for destitute women but we have had enormous difficulty finding premises which will accept women. We will not give up in our search.

We open the door at 8pm and close again at 8am. We give our guests a warm welcome and a hot and nourishing evening meal. The guests can then watch tv or sit around chatting with each other or with the volunteers. Four volunteers sleep over every night and others come in to offer friendship, advice and, sometimes, chiropody. We make a serious effort to encourage our guests to be focused in the collection of evidence required for a fresh asylum claim, and thus a route back into the official immigration support system. This year we organised quite an intensive training scheme for some of our volunteers so that the ability to help our guests in this effort is now increasingly widespread in our community. We also collect warm clothing and shoes and distribute these as needed. Some of our guests require much more support for various reasons - mental or physical health problems, extreme youth or age, shattered nerves because of a dreadful journey or a history of persecution. We do what we can to help, escorting them to doctors and lawyers and connecting them with other charities which can offer specialist intervention. Our guests can stay with us as long as they need, basically until they can move on to a better situation.

We do all this because we find it immoral that the UK, a relatively rich country, puts vulnerable people into the street, with no access to food. To ask for asylum is a human right. The asylum system here is very harsh, with the standards of evidence required immensely
difficult to produce for someone who has had to flee their country in
great haste and spend months in a dreadful journey. Given the extra
security and stability we are able to provide, a good number of our
guests go on to succeed in their asylum cases. We believe asylum
seekers should be treated with humanity throughout their time here
and we are determined to continue in our role. I cannot
overemphasise how rewarding this work is as our guests who have
arrived at our shelter so downtrodden quickly learn to walk tall again
- and become our friends.

13. There is an urgent need for more space for beds in better fitted out shelters. The
capacity of Anderston Kelvingrove is limited and demand outstrips supply. There are
no shower facilities in the Church so users have to wash in basins and buckets.
More volunteers willing to stay overnight to help run the shelters are also needed.

14. The question of providing shelters is explored further below when we discuss the
example of the Netherlands.

15. Interfaith working in Glasgow is strong and relationships between different faith
communities have enabled mutual support for social action work. Mohamed Omar
is the co-ordinator of Interfaith Glasgow’s Weekend Club initiative, an interfaith
response to the social isolation experienced by refugees, asylum seekers, and new
migrants in Glasgow. He writes:

Anderston Kelvingrove Parish Church (AKPC) plays a significant role in
housing and feeding destitute asylum seekers in Glasgow.
Occasionally, Weekend Club (WC) supports church volunteers by
providing food from WC event to share with the homeless (mainly
destitute asylum seekers). The Central Gurdwara Singh Sabha in
Anderston provides food to AKPC volunteers on a regular basis, a Sikh
WC volunteer delivers food on Thursday evenings. In addition, during
Ramadan Glasgow Central Mosque coordinates donations and plays
a vital role in feeding destitute asylum seekers during this month.

16. During the day, destitute asylum seekers try to
find refuge at warm places such as the libraries
around the city. This can make libraries places
for racist and xenophobic hate crime. This racist
message (right) was left in a central Glasgow
library’s male toilet and was reported on 14
January 2017. It is a worrying reminder to us all
that a place of education, enlightenment and
sanctuary for high numbers of destitute asylum
seekers is frequented and targeted by racist
individual(s) with the purpose of causing fear

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4 http://interfaithglasgow.org/current-projects/
and alarm. Faith, civic and political leaders must be clear that such repugnant messages have no place in Scotland. Actions to change attitudes and behaviours need to be implemented to match statements and words.

HEALTH

17. Faith groups have spoken out against policies of destitution for many years. That some people should be left with absolutely nothing in a society which is so obviously wealthy violates the principle of respect for human dignity; it defies the Golden Rule common to all religions, often understood as ‘treat others as you would wish to be treated by them’. Religious observance includes showing welcome to the stranger and offering charity and support to those in particular need. These principles are also strong foundations for humanitarianism and mutual support regardless of an individual’s belief. Some examples of recent work include the following:

Mental and Physical Health

18. Destitute asylum seekers face huge issues in terms of their mental health and wellbeing. The Mental Health Foundation has a programme in Scotland which has experience in working directly with destitute asylum seekers; but the whole-life approach to health and well-being is of concern to members of religious and belief communities which see something of God’s image reflected in human beings.

19. Homelessness, destitution and sleeping rough have various mental and physical health consequences. Jamie Spurway is Interfaith Scotland’s Religious Equality Training Officer and has previous experience of working with the Scottish Refugee Council. He writes:

My impression from my time working with refused asylum seekers at the Scottish Refugee Council is that the vast majority do not end up sleeping rough, but there is a minority who do and their health will start to be affected by even just one night outside. The majority do end up finding somewhere to sleep, but as others have said, the risks of exploitation are very high. This is especially true of women, those with pre-existing mental health issues (e.g. torture survivors) and the young. Pregnant women can even be made destitute by the asylum system, and so are at risk of becoming street homeless, although this is relatively rare thanks to the intervention of charities such as Positive Action. All children are protected by law from being made street homeless, but shockingly, the unborn child does not have the same rights.

Even those who are ‘sofa-surfing’ and do not get exploited, they will almost inevitably suffer mental health consequences. People talk about slowly burning through all of their friendships, as people let

5 https://www.mentalhealth.org.uk/scotland/improving-mental-wellbeing-asylum-seekers-and-refugees
them sleep on their floors and feed them as they can but eventually start to resent the burden. With just over £5 per person, per day, asylum seekers who are still have an active claim do not have enough money to adequately feed and clothe themselves let alone an additional person. The ‘host’ asylum seeker also risks being evicted from their accommodation and having their own support terminated if it is discovered that they are allowing a refused asylum seeker to stay with them.

20. Another story comes from Lynnda Wardle, Director of Interfaith Glasgow:

I would say that for destitute asylum seekers, managing their health is particularly difficult.

So for example, it is difficult to get fresh fruit and produce at most foodbanks (although in Glasgow there are certain days and venues, for example Govan Community Initiative and St Rollox Church of Scotland in Sighthill, where there may be fresh produce available one day a week, but people will have to travel across the City to access these as it may not be their local foodbank). So tinned food, cereals, and UHT milk are the order of the day. One young man I know who had a stomach ulcer really struggled with this problem, and became very unwell as a result of living off food that he could not cook himself.

For those who are destitute. Most will not have access to cooking facilities to cook their own meals and to cook food that they like to eat.

Also, being made homeless, or being housed temporarily in different shelters, makes managing hospital appointments extremely difficult. Hospital appointments are sent out by post and if you no longer have a fixed address, these are missed at real risk to the health of individual. Also, the GP practice may strike the person off their list and suggest that they register somewhere else. Any relationship with that GP is then lost.

Single women are really at risk in this enforced destitution cycle. At the moment there is no ‘official’ shelter for women. Positive Action in Housing can help with temporary short term accommodation and there are 2 flats in for women that can be used for destitute asylum seeking women that are managed by DASS and Refugee Survival Trust but these can only accommodate 4 women! Most sofa surf and put themselves at risk of exploitation and live in overcrowded flats, often with people they don’t know.
Many of those who are destitute have been in the asylum system for a long time, some for years. Nigerian and Zimbabwean people are particularly 'trapped' in this way. Some have been asylum seekers for years, then get made destitute, then they have a fresh claim lodged and the cycle starts again. What a way to treat people who are often in their prime of life, have skills and talents to offer our communities but are trapped in this depressing cycle of poverty and homelessness.

I can’t help feeling at the moment that destitute asylum seekers are our ‘forgotten people.’ They live like ghosts.

HIV

21. Living with HIV is no longer a terminal condition if medication is provided. But as Waverley Care point out, HIV medicine needs to be taken regularly, on a full stomach and people who live with HIV are also recommended to get regular sleep.6 The chaotic and disrupted lives of destitute asylum seekers puts them at particular risk.

22. The need for basic provision of shelter, food and access to support services is an urgent necessity; we have been inspired by work in the Netherlands which is discussed below.

23. Last year the Church of Scotland’s HIV Programme supported a PhotoVoice Study of HIV-Positive asylum seekers and refugees in Scotland, in collaboration with the University of Edinburgh Global Health Academy, the HIV Human Rights and Development Network and Waverley Care, under the direction of Dr Dina Sidhva of the University of Edinburgh.7 The exhibition was shown in 2016 at the Scottish Parliament and at Edinburgh’s Just Festival.

24. HIV remains an enormously complex issue that continues to demand a deeper understanding of its multifaceted impact on the lives of whom it touches. Equally, asylum-seekers who have lived in Scotland for years, still awaiting a decision from the Home Office on whether they can stay has a profound impact on these individuals. Some have suffered severe trauma and are forced to live in daily uncertainty while they await the outcome of what could be a life or death decision.

25. The implications of immigration on the daily lives of HIV positive forced migrants (asylum seekers and refugees) remains relatively under-researched. Personal narratives and voices of these people are particularly limited. Disclosure of an HIV diagnosis for those who are undergoing other complex immigration and legal issues remains a decision process fraught with difficulty, and has the potential to create considerable anxiety and distress about one’s health, self-identity, and close relationships.

6 http://www.waverleycare.org/about-hiv-hepatitis-c/hiv/treatment/
7 http://www.churchofscotland.org.uk/news_and_events/news/recent/photo_exhibit_showcases_challenges_facing_hiv_positive_refugees_and_asylum_seekers
26. The project aimed to:
   - explore the powerful connections between forced migrants (HIV positive asylum seekers and refugees from Africa) and society when photography and advocacy merge to advance human rights causes;
   - illuminate complex human stories that lie behind the phenomenon of migration and seeking asylum, while living with HIV;
   - raise awareness, change perceptions and draw attention to the human aspect of the migration debate in contrast to the strong images circulating in our media today; an opportunity to realise that life can be viewed from another angle;
   - draw the audience in to the world of despair and optimism of a group of extremely vulnerable people living in Scotland;
   - give voice to the stories of asylum seekers, such that they can be heard in the true spirit of Scotland’s commitment to the principles of dignity and respect for all people.

NATIONAL EXPERIENCE

Interfaith Refugee Initiative

27. In September 2016 a group of more than 200 faith leaders, representing all parts of the United Kingdom and coming from Buddhist, Christian, Hindu, Jain, Jewish, Muslim, Sikh, and Zoroastrian traditions signed an open letter to the Prime Minister setting out common values for an approach to policy-making in this area:

   a. All our faiths compel us to affirm the dignity of all human beings and to offer help to anyone in need. As people of faith, we call on your Government urgently to revise its policy towards refugees. The best of this country is represented by the generosity, kindness, solidarity and decency that Britain has at many times shown those fleeing persecution, even at times of far greater deprivation and difficulty than the present day.

28. The Committee may also like to be aware of the engagement of several previous statements and campaigns on the issue of destitution, including from:

   The Catholic Church in Scotland

   - http://glasgowchurches.org.uk/archbishop-backs-campaign-against-destitution/

   The Church of Scotland
29. Various faith groups and networks in Scotland have supported and worked with organisations and advocacy campaigns for reform of policies around destitution. These have included:

Right to Remain  http://www.righttoremain.org.uk/

30. Right to Remain is a UK-based human rights organisation. They work with communities, groups and organisations across the UK, providing information, resources, training and assistance to help people to establish their right to remain, and to challenge injustice in the immigration and asylum system. They provide information and resources to groups and individuals on working to establish the right to remain and campaigning for migration justice, deliver capacity-building training, workshops and meetings with grass-roots groups and networks, and through their communications and outreach work, they expose the human impact of unjust immigration law and policies, and advocate for positive change.

31. Right to Remain’s Toolkit – a guide to the UK immigration and asylum system and taking action for the right to remain – was developed with funds raised through public donations. Iona Community members helped to contribute to the publication of this resource.

32. Right to Remain sees asylum destitution as not only a humanitarian and human rights issue, but also as a significant barrier to people’s ability to access justice in their asylum and immigration cases. Through the Toolkit
and the community training programme based on the resource, they aim to help people engage and re-engage with the legal process (which offers alleviation from destitution) and increase people’s ability to establish their legal right to remain (the ultimate solution to asylum destitution on an individual basis).

Still Human Still Here [https://stillhumanstillhere.wordpress.com/](https://stillhumanstillhere.wordpress.com/)

33. Still Human Still Here is a coalition of over 60 organisations that are campaigning to end the destitution of thousands of refused asylum seekers in the UK. The coalition believes that the current policy is inhumane and ineffective and is urging the Government to:

- Provide asylum seekers who would otherwise be destitute with sufficient support so that they can meet their essential living needs until they are returned to their country of origin, or are given permission to stay in the UK;
- Provide free access to healthcare for all asylum seekers while they are in the UK;
- Grant asylum seekers permission to work if their case has not been resolved within six months or they have been refused, but temporarily cannot be returned through no fault of their own;
- Improve decision making and ensure that all those in need of protection receive it.

34. Members include the Church of England, the Catholic Bishops’ Conference of England and Wales, Faith Matters, Jesuit Refugee Service, Jewish Council for Racial Equality, Jewish Social Action Hub, London Churches Refugee Fund, Quaker Peace and Social Witness. Churches and faith groups in Scotland are in touch with these members and the campaign through the Churches’ Refugee Network, a group under the umbrella of Churches Together in Britain and Ireland.

Stop Destitution

35. The 2012-2013 ‘Stop Destitution’ campaign lead by the Refugee Survival Trust and the Scottish Refugee Council was supported by the Church of Scotland and the Scottish Catholic Church. The campaign aimed to put an end to extreme poverty among asylum seekers.

36. Over 3,000 people including MSPs and councillors, the Moderator of the Church of Scotland General Assembly, Glasgow’s Catholic Archbishop, Edinburgh’s Lord Provost and other faith and civic leaders, signed the campaign in between October 2012 and April 2013. Signatures were presented to the then Immigration Minister Mark Harper along with a letter calling for a response to the concerns put forward by thousands of people. While the campaign unfortunately did not have the political effect that had
been hoped for, many people were engaged, stood up for refugees and asylum seekers’ rights, and destitution was put on the political agenda.

**Living Ghosts** [http://www.church-poverty.org.uk/livingghosts](http://www.church-poverty.org.uk/livingghosts)

37. Church Action on Poverty has a campaign aimed at raising awareness of the situation for destitute asylum seekers, under the title of Living Ghosts. An accompanying briefing paper was produced by the Churches Regional Commission for Yorkshire and the Humber in April 2006.⁸

**INTERNATIONAL EXPERIENCE**

**Bed Bad Brood**

38. In the Netherlands, Church partners working with wider civil society organisations, successfully brought a legal challenge against the Dutch Government to guarantee the access to basic human needs (food, clothing and shelter / bed, bath and bread) for irregular migrants without resources.

39. Kerk in Actie, part of the Protestant Church in the Netherlands, was supported in a legal case against the national authorities by the Conference of European Churches (CEC). The Church of Scotland and Action of Churches Together in Scotland have been members of CEC for many years.⁹

40. The case, decided in November 2017, compelled the Government of the Netherlands to provide basic humanitarian support for destitute refused asylum seekers. The failure to offer universal basic support (shelter, hygiene facilities and food) was found to be a violation of article 13.4 and article 31.2 of the Additional Protocol of the European Social Charter¹⁰. We note that the United Kingdom has not ratified or signed the Additional Protocol.

41. In April 2015 the Government of the Netherlands reached a position making the provision of basic support conditional on compliance with procedures for returns / deportation¹¹. A criterion of compliance leads again to concerns by charitable groups that undocumented asylum seekers will be made homeless in The Netherlands. The implementation of this policy may not begin until an agreement has been reached with local authorities. To date, negotiations have not been concluded and several Dutch local authorities continue to provide varying formats of basic support.

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⁹ For a full list of members, including from other Churches that have a presence in Scotland, see [http://www.ceceurope.org/member-churches/](http://www.ceceurope.org/member-churches/)

¹⁰ European Committee of Social Rights. Conference of European Churches (CEC) v. the Netherlands, Complaint No. 90/2013 Decision on the merits. Publication date: 10 November 2014

42. Faith groups in Scotland share the conviction of the groups in the Netherlands; that there must be minimum standards to meet basic human dignity. With Scottish Parliamentary powers over local government, homelessness and housing, public health and increasingly over welfare and social security, perhaps there is a question for Scottish government and civil society to consider how a movement to provide ‘bed, bath and bread’ for all might be developed and implemented.