

# Asylum in the City

*Canon Nicholas Sagovsky, Canon Theologian, Westminster Abbey*

Nick is the author of many books and articles on theology, ecumenism and social justice. He has contributed vigorously to the debate on key social justice issues such as benefit levels, debt, the community charge, the nature of capitalism and asylum. After graduating at Oxford he worked at the Mayflower Centre, Canning Town, and as a teacher at Scott Lidgett Comprehensive School in Bermondsey. Then, after ordination, he was curate at St Gabriel's, Heaton, before moving to Cambridge for graduate studies. He was appointed Vice Principal and Director of Studies at Edinburgh Theological College, and later Dean and Director of Studies in Theology at Clare College, Cambridge. More recently he was William Leech Professor in Applied Christian Theology at Newcastle University and then Professor of Theology and public Life at Liverpool Hope University College.

*The following summary of Nick's talk is based on my notes taken at the time. Inevitably such notes are a little disjointed cannot fully represent what was said. Comments and corrections by others who were there are welcome. [Ken Tait](#)*

Nick structured his talk around the reports (all published in 2008) of the Independent Asylum Commission (IAC) on which he served. The three main reports are:

- 1. Saving sanctuary – addressing the issues of entry and what happens after claims for asylum are made*
- 2. Safe return – considering the problems of ensuring safe return when asylum has been refused*
- 3. Deserving dignity – looking at how to ensure people are treated justly during the assessment process*

In his introductory comments he referred to two asylum seekers who would be in court that day or in the near future. One who after having two children as a result of rape just wanted a normal life and another who after ill-treatment of her children by others had come to this country but subsequently made some bad money decisions. The first he hoped would be granted asylum; the second he felt would be 'sent down'.

The IAC had preferred the term 'sanctuary' to 'asylum'. Evidence taken during the work of the IAC indicates that people in the UK feel positive about being a country that can and does give sanctuary. They are proud of their heritage of being welcoming and offering sanctuary.

The United Kingdom Border Agency (UKBA) has/had 'a culture of disbelief'. It is guided by the anti-terrorist remit.

Decisions to refuse asylum and return a person to their own country are based on the human rights of that person. There are those who through their own actions do not have the right to a safe return.

A person who has a *well-founded* fear of persecution by (or condoned by) the government of the country from which they have fled can argue that their return is not safe. If the fear (for example) is from criminals that they have been involved with then their case is very weak.

Detention during the period before being returned has its own difficulties, affecting families and children badly. This has been underlined by one or more of the Royal Medical Colleges and the Children's Commissioner. UKBA is now considering ways of reducing children's detention. But what are the alternatives? Tagging? Splitting up families? The end of 'safe return'?

There is the problem of accountability. Can those who give assurances that someone returned to a country will not be harmed or threatened be held to account?

Asylum-seekers should think about a 'Plan B' from the beginning – i.e. What will they do if their claim fails.

During the process between claim and decision people may be detained. Detention may exacerbate the problems of vulnerable people – children, survivors of trauma.

If not being detained or sent back they may be left in limbo for years (for example those who have fled Zimbabwe). Nothing is to be gained by this. They are put in 'Section 4' housing which is often below standard. They have cards which allow them to get food from certain supermarkets. What is left [from one month] cannot always be fully carried over [to the following month]. They have no cash and it is difficult to buy things not available through the supermarkets.

Because of the time between claim and final decision there are asylum seekers whose children have come through the UK education system and may wish to go to university. They are not eligible to pay the lower 'home student' fees, but must pay the much higher 'international student' fees. Their asylum-seeking status forbids them to work so they cannot raise the fees themselves. Some Christian institutions of higher education are providing help, for example, one free place each year. This can be true of overstayers who have entered the country legitimately but stayed beyond the termination of their visas. Also such people live with the possibility of the knock on the door or the dawn raid. This is an affront. Those not in detention when the process comes to a [n unsatisfactory] end may disappear, go under the radar (possibly for good reasons), or just go on without something happening.

There are the individuals who break your heart.

The system is stuck with a [rigid] bureaucracy.

The effect of the mental health bill.

Many who have been given asylum will [because of the consequences their experiences] never work again

We must work for a welcoming society. It is heartening that many young people of faith are working within this campaign. [[Citizens for Sanctuary?](#)]

The reports make 183 recommendations.

The reports together provide a tool for concerned citizens to take forward through organisations like [Citizens for Sanctuary](#) which has dialogue with the UKBA. Start with the easier cases...

### ***The Sanctuary Pledge***

This is a pledge for parliamentary candidates to make. It is for local groups to pressurise parliamentary candidates about what they are going to do about sanctuary.

The pledge asks politicians

#### **1. Campaign responsibly, positively and sensitively**

*Make clear the difference between sanctuary and economic migration, and not seek to gain electoral advantage by pandering to fears about people seeking sanctuary.*

#### **2. Promote a culture of sanctuary locally and nationally**

*It is vital to communicate effectively with the public on this sensitive issue, and research shows that using terms such as 'sanctuary' and 'people seeking sanctuary' can aid public understanding of why it is important to offer a safe haven to people fleeing persecution.*

### **3. Support policies that will end the detention of children and families for immigration reasons**

### **4. Promote understanding and neighbourliness between local communities**

*Work with local authorities, voluntary, faith and CITIZEN groups to form sanctuary welcoming groups to bridge the divide between those seeking sanctuary and the local population and encourage positive encounters between refugee communities and local people.*

### **5. Safeguard the long-term future of sanctuary**

*If elected, work with voluntary, faith and CITIZEN groups in the constituency to promote awareness of the UK's past and present role in providing a safe haven for people seeking sanctuary*

Copies of the full pledge to be offered to parliamentary candidates to sign can be downloaded from the [Sanctuary Pledge web site](#).

## **Questions and Discussion**

Issues raised here included:

- the quality of written paperwork (e.g. illiteracy) – UKBA is now employing people with higher qualifications.
- verifying that one is a Christian – UKBA have asked for better criteria (the Churches Together in Britain and Ireland web site is helpful)
- if called as an expert witness then answer the questions asked (do not elaborate) – base answer on *evidence*
- judicial review is not given lightly – need new evidence (about person or country)
- speedy action may be necessary to prevent deportation when applying for judicial review