

# GDWG NEWSLETTER SPRING 2013

## GATWICK DETAINEES WELFARE GROUP

### Spread the word about GDWG! Speaker's Toolbox now Available



The GDWG Outreach Committee have worked with the office to produce a 'Speaker's Toolbox' for our volunteers to spread the word about the world of detention. Take the

Toolbox to your student group, Amnesty group or church group. Why not hold a fundraising coffee morning and explore the contents with your friends and colleagues? You'll find a PowerPoint and short film on a disk inside. There is information about detention and GDWG with visitors' stories and detainee experiences to share. Discover detainee art work and poetry and a myth busting quiz about refugees, and enjoy a game

based around the UK Citizenship test! We hope the Toolbox contents will stimulate interest and debate and give you the confidence to arrange discussion groups in your local community. The Toolbox is in the office for you to use from mid-March. Just call Anna and reserve the box for the time you need it or email [anna@gdwg.org.uk](mailto:anna@gdwg.org.uk). Thank you!

Anna Pincus.

### When the pot runs dry—an overview of the changes to legal aid that come into effect in April 2013

In February this year, Emma Douglas from the College of Law delivered an all-volunteer training at GDWG on the legal aid changes coming into effect in April 2013.

The Legal Aid, Sentencing and Punishment of Offenders Act (LASPO) outlines everything that will still be covered by legal aid. If it's not specifically mentioned in LASPO then it won't be covered.

The good news is that anything to do with Detention will still qualify for legal aid, including applications for bail and Temporary Admission. Asylum and Humanitarian protection cases

are still covered, as are domestic violence and trafficking cases. Judicial Reviews will also be covered but will be restricted: for example, a JR for immigration purposes, i.e. to stop a flight, can only be lodged every 12 months.

Everything outside of the above will not be covered by legal aid. For example, anything to do with Article 8, the right to private and family life, will not be funded, and neither will deportation and removal cases where people have not made an application for asylum. In regards to applications that are mixed cases, for example an asylum applica-

tion along with an Article 8 claim, it is still unclear what representatives will do. These types of cases are very common amongst many of GDWG's clients in detention.

In short, people who do not have the money to pay for representation and who fall outside the new categories listed in LASPO will probably have to represent themselves. It remains to be seen exactly how this will affect people in detention, but it seems clear that access to legal advice will be greatly restricted.

Sarah Pailthorpe.



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## The Work of the UK Lesbian & Gay Immigration Group (UKLGIG)



Since 1993 UK Lesbian & Gay Immigration Group (UKLGIG) has been supporting lesbians, gay men, bisexual, trans and intersex (LGBTI) people to gain fair and equal treatment in immigration law. In 2005 the group's focus shifted to those who, persecuted in their home countries because of their sexual or gender identity, have escaped to the UK.

Of the 196 countries in the world, there are 78 where homosexuality is illegal - seven having the death penalty. There are more than 30 **further** countries where it is extremely unsafe to be LGBTI and where the risk of persecution is high.

Only a tiny proportion of LGBTI people persecuted worldwide come to the UK to seek a safe haven, and most come only as a last resort. LGBTI asylum seekers are one of the most disadvantaged, under-represented and excluded groups in UK society. Many of those we work with have been beaten, tortured or imprisoned, prosecuted or abused because of their sexuality. Almost all of the lesbians,

and many of the gay men have been raped and/or genitally mutilated.

Although the system in the UK is difficult for all asylum seekers, LGBTI people face specific difficulties not faced by other asylum seekers – shame and secrecy about who they are, lack of knowledge that their identity is a ground for asylum, lack of support from either their home community or the LGBTI communities, lack of independent evidence about both their identity and about what happens to LGBTI people in their home country, and abuse in detention and UKBA accommodation. Without UKLGIG, many would continue to be ignorant of their rights or too afraid to be honest about their sexuality, thereby risking being returned to persecution and, for some, to death.

We provide quality legal advice, referral to expert immigration solicitors, mental and emotional support and social interaction. We train refugee support and LGBTI organisations and solicitors. We work with MPs and Lords, UK Border Agency, in the Courts and in conjunction with other NGOs to influence positive change in policy and legislation.

If LGBTI asylum seekers held in detention and fast-tracked through the asylum process are not supported to prepare their case and do not have expert legal representation, their chance of achieving a fair decision is severely jeopardised. UKLGIG provides both telephone support and regular visits to de-

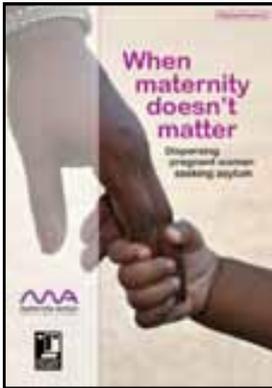
tained LGBTI asylum seekers.

Over the years, at the request of asylum seekers, we have adopted a much more holistic approach. Although we are aware that winning their asylum claim is their and our main focus, our clients ask much more of us. Not getting support from their home communities or from the LGBTI communities in this country and having been rejected by their birth families, our clients frequently tell us that we are their only family. With this goes a responsibility to assist them to remain strong and hopeful through a gruelling and sometimes unjust process. We encourage clients to use artistic and creative methods of building themselves into stronger, more capable, more confident survivors. Finding new ways to express their total identity, not just their sexual identity, gives our clients the strength to endure the asylum process and the confidence to begin life anew in the UK.

Erin Power  
Director, UKLGIG



## 'When Maternity Doesn't Matter'



### "Our society is failing [asylum seeking] women and their babies

(Cathy Warwick, General Secretary of the Royal College of Midwives)

'When Maternity Doesn't Matter,' a report released in February 2013 by Maternity Ac-

tion and the Refugee Council highlights the problems and calls for improvements to UKBA's dispersal policy for pregnant asylum seekers.

The dispersal around the country of pregnant asylum seekers causes undue stress upon an already vulnerable group of women. They can be moved against the advice of medical professionals and often close to their due date leaving them isolated and without continuity of care.

The report also highlights that asylum seeking women are more

prone to high risk pregnancies due to trauma, with many suffering from serious mental health conditions, including severe depression, flashbacks and suicidal thoughts. Due to UKBA's policies of dispersal, such women are being separated from the specialist treatment and monitoring they need throughout their pregnancies.

Along with the policy of dispersal the report expresses the negative effect of the UKBA's policy of family separation: where the father is re-

moved from their pregnant partner during the pregnancy, again leaving the already high risk woman and her unborn child endangered and isolated.

An all-party group of MPs who launched the report in Parliament are calling for the UKBA to reconsider its policy on the dispersal of pregnant women and to introduce guidelines ensuring a full risk assessment where dispersal is unavoidable.

Full report: [www.refugeecouncil.org.uk/maternity](http://www.refugeecouncil.org.uk/maternity)

## 'Between a Rock and a Hard Place'—Risks facing asylum seekers on return

Refugee Council report 'Between A Rock and a Hard Place' highlights the human rights abuses and persecution facing many refused asylum seekers on return to DRC, Eritrea, Somalia, Zimbabwe and Sudan. Findings include:

- **DRC:** Mass rape and sexual violence against women and girls at the hands of the army, the police and non-state militia groups
- **Eritrea:** Severe punishment of those who evade compulsory national service including long-term imprisonment or the death penalty

- **Somalia:** Indiscriminate attacks on civilians by government and paramilitary Al-Shabaab forces, and extrajudicial killings of opposition members

- **Zimbabwe:** The torture and death of people seen to oppose the powerful Zanu-PF party, and ongoing political violence in the run up to the elections next year.

- **Sudan:** Human rights activists, journalists, and opponents of the ruling party being harassed, arrested and tortured by state military and police forces.

The report also highlights the plight of refused asylum seekers remaining in the UK, who are often forced into destitution. The report was written due to the high number of people from these 5 countries accessing the Refugee Council's destitution services: from 2011-2012, 20% of clients were from these countries. Many were women, for whom destitution can have a particularly serious impact, including being forced into violent or exploitative situations to get a bed for the night.



As a result, the Refugee Council is calling on the UK government to acknowledge the ongoing human rights abuses and persecution facing people on return to their countries, and to offer them a form of protection until it is safe for them to go home.

Full report: [www.refugeecouncil.org/research.uk/maternity](http://www.refugeecouncil.org/research.uk/maternity)

## Family At Risk—New rules on Family Migration



The All Party Parliamentary Group on Migration is in the final weeks of its inquiry into the impact of new rules on family migration, which came into effect in July 2012. It is considering how far the new rules threaten policies that promote family life in the UK.

What are the changes? A new income requirement of £18,600 for people wishing to sponsor the settlement of a family member or spouse, an extended probationary period before that family member or spouse can apply for settlement and a review of the application of Article 8 of the European Convention on Human Rights (the right to family and private life) in immigration cases. Migrants' Rights Network published a briefing in June 2012, which pointed to the wide disparity in earnings between different social groups in this context. Women, people who live outside the south east of England, Bangladeshi or Pakistani communities and young people, will all be less likely to have

access to family life by sponsoring the settlement of a spouse or family member. In addition to this list consider the situation of asylum seekers who instead of refugee status, which comes with an automatic right to family reunion, have been given Indefinite Leave to Remain (ILR) in the UK. Those with ILR must meet the same financial criteria as other settled or British citizens applying for family migration; hardly likely when people have not been allowed to undertake employment and have had only limited access to education.

Furthermore, the Government is also attempting to reform the application of Article 8 of the ECHR (incorporated into UK law in the Human Rights Act of 1998) in immigration cases. In its attempt to drive down immigration numbers, the Government's new rules stipulate that it is only in 'exceptional circumstances' that recourse to Article 8 will be considered for those wishing to settle in

the UK and only if it outweighs 'the public interest'. But given the consensus on the importance of familial relationships, the question arises of why exactly it is in the 'public interest' to limit family life both for British-born citizens and newly-settled migrants. In view of the coalition's position that 'strong and stable families of all kinds' are 'the bedrock of a strong and stable society', some believe it to be contradictory to introduce a set of measures designed to limit their formation. If families are the building blocks of a secure and stable nation, then it would seem to follow that the right to family life must be upheld.



## GDWG School Talks

GDWG's programme of talks in local secondary schools aims to raise awareness about asylum, immigration detention and the work of GDWG amongst students in the local area. Over the past four months we have delivered talks in a range of schools, including Oriel High School (Crawley), Reigate Grammar, St Richard's Catholic College (Bexhill) and Varndean College (Brighton). Our current lesson plan was developed out of the EDJI training on giving talks to young people which took place in October last year (see [www.edjitraining.org](http://www.edjitraining.org)), along with input from our volunteers, many of whom have teaching experience.

The sessions include an activity based around a picture book called 'The Island' by Armin Greder, which tells story of a man who arrives on an un-named island and faces mistrust and hostility from the local residents. Students are encouraged to think about the most important issues and questions raised by the story. This has led to some fantastic discussions around questions generated by the students themselves, such as 'Why are people afraid of difference?' We also ask students to complete a quiz designed to challenge common misconceptions about refugees and asylum seekers. In response to

one question, 'Which continent hosts the greatest proportion of the world's refugees?' the vast majority of students incorrectly guess 'Europe'. Indeed, only one student so far has got the correct answer – 'Asia'. This helps to illustrate how widespread misconceptions about refugees and asylum seekers are, and the importance of outreach work as a way of providing accurate information and challenging myths and prejudices.



Since November 2012 talks have been delivered by a staff member supported by a volunteer visitor. Volunteers have been giving a short presentation on their experience of being a visitor as part of the session. This is a great way to give an insight into the reality of the difficulties faced by detainees, and to convey the human stories that lie behind every person in detention, as well as helping to explain the work GDWG and the



role of volunteer visitors.

The feedback from both students and teachers has so far been very positive. Comments include:

**"Very informative and definitely helped me understand and want to know more".**

**"It was really interesting to hear emotional accounts of the process and has made me feel a lot more fervently about the issue".**

We have also had to fend off some difficult questions and comments, including 'Aren't a lot of them illegal?' and 'It can't be that bad if they have TVs in their rooms!', but overall we hope that students leave the sessions with a better understanding of asylum and immigration detention, and are encouraged to think critically and educate themselves about the issues raised by migration more broadly.

We have further talks lined up in May at Hazelwick School (Crawley). If you are interested in helping with these, or with any talks in future, please get in touch with Lauren at the office.

Lauren Cape-Davenhill

I visited A for eighteen months from September 2011. He was only my second detainee, but I was not his first visitor. In detention for over a year, he had a long prison history stretching over decades and dozens of offences. Incarceration was familiar to him, and he was good at surviving it. In 2009, two events had impacted on A's life: converting to being a born-again Christian, and the death of his mother. He enjoyed his job as a cleaner in Brook House, and he enjoyed reading the Bible. This was all I knew to start with!

For the first couple of months we focussed on discussing A's case. He confessed to being almost functionally innumerate, and we made a start on some adult numeracy work. This was brought to an untimely end when the staff suddenly refused to let me take the necessary papers into the

visits room, though I suspect this was somewhat to A's relief! I discovered he didn't really use computers. A course he had begun had been interrupted, like many things throughout his life, by a change of prison. I encouraged him to start emailing, and set up an account for him. Being on very good terms with most of the staff, A was able to use their help slowly to get going on the email, and I tried to send him a few messages every week to get him practising.

Being locked up is such a negation of autonomy, that I began to think of other ways to give A both some occupation and some power. We had discussed the role of the church and Bible reading in A's life, and how important these were to him. As a practising Anglican I know enough to realize that A's Christianity was considerably more than a

conversion of convenience as sometimes happens in prison. I hit upon the idea of getting him to tell me what he was reading, and then to set me Bible reading 'homework'. This was a great idea – he loved the power reversal involved, and was soon occupied every week in putting together a series of reading which I would prepare, and we would then discuss at the next visit. He was adept at keeping an eye on the clock, and making sure we had time after discussing his case, his well-being and his cookery sessions, to debrief on the homework! It might not always work so well, but I would definitely try suggesting to my next detainee that he set me homework – maybe to find something out about his country of origin or language? I shall have to develop the strategy and play it by ear!

### **'I'll wonder how he's getting on' - Don Cooper**

Over the years the detainees whom I have visited have come and have gone. As one has gone I have been ready to begin visiting a new one.

So I have been surprised at my own feeling of loss at the removal of the latest detainee. For whatever reason I have been affected by his condition in a way that I have not previously been. He seemed to typify the distresses to which a young man (aged 26) is subject as he seeks to improve his lot.

When I met him he told me that he had left his country because

life there was insecure, because there were no jobs, no prospects. On arrival in Europe, he said, he had been detained, in Sweden, in the Netherlands, in the UK. In each country he had been refused permission to remain. He had been removed from one to the other, and when last I visited he was on the point of being removed back to Sweden.

After five years of such shuttling, he had no money, no family. But, according to his account, he had been affected by my visits. He had come to

look forward to them. He had heard about my family, one that included Humphrey, the Labrador. He looked forward to a day when he could take Humphrey for a walk, when he could meet my family, when he could help me in the garden.

Alas, he will not meet them. Instead, no doubt, his life will remain out of his control. He will be moved from here to there and back again. I sense I'll wonder how he's getting on, poor chap. And I will visit the next detainee.

## Meet our youngest volunteer!

19 year old Arianna has been visiting since November 2012. She hasn't let Brook House daunt her and whilst she's found visiting challenging, she describes visits room conversations about detainees' travels, their friends, politics, current affairs and has enjoyed some moments of humour. Fitting in visiting amongst her 'A' level studies at Varndean College, she sees GDWG as inspiring and joined us because of her passion for helping people and because, for

her, GDWG represents an organisation with people working for the community and not simply with individualistic values. Arianna also befriends rough sleepers in Brighton, sharing a cigarette and conversation with them and watching how they are ignored by the people that walk by! Arianna grew up in Yorkshire and two years ago came back to Brighton where she was born. With a passion for reading and a love of all music – hip hop, dub, reggae, drum and bass – she

heard about GDWG when we gave a talk to her local Amnesty group. Arianna remembers being shocked when she discovered about the immigration removal centres and now tells her friends about the reality of indefinite detention. Visiting helps her put things in perspective – something she needs with 123 days to go to the end of her 'A' levels (she's counted!)... Good luck with the exams and 'welcome' to Arianna!

## Detainee Page

## ORIGAMI IN DETENTION



Pictured are just 2 of the incredible origami creations made in the Tinsley House art class by a former detainee.

## Glasgow Girls—Review

In 2005, seven schoolgirls from Glasgow received the award for 'Best Public Campaign' at the Scottish Politician of the Year Awards. Their campaign was against the deportation of one of their friends, Agnesa, and her family back to Kosovo. Not only did this group of schoolgirls successfully stop the deportation, but the political and legal pressure they helped generate forced the Blair government to back down on its insistence that all Kosovo refugees were safe to return to their country of origin.



Last week I went to see 'Glasgow Girls' at the Stratford Theatre Royal, a musical based on this campaign. I have to admit I was somewhat cynical – jazz hands and foot-tapping somehow doesn't seem entirely appropriate for portraying an anti-deportation campaign. Happily I was proved wrong, as the phenomenal energy of the cast, poignant lyrics and very Scottish humour took the audience from laughter to tears and back again. The cast

and directors had worked closely with the original 'Glasgow Girls' in devising the piece, and the song lyrics and diverse musical styles reflected their different cultures and heritages. Agnesa's haunting solo when she finds out she is due to be deported, sung in the Romany language, sent a collective shiver down the spine.

The story of the original 'Glasgow Girls' began in the 1990s when the British government introduced a policy

of dispersal. This entailed sending asylum seekers out of London to save on accommodation costs, to other areas including Scotland and specifically Glasgow. Several hundred asylum seeking families were therefore packed off to Glasgow, a working class, ethnically homogenous city without a real history of immigration from other countries. The musical gives a tongue in cheek account of how these asylum seekers were sent to the

### Dates for your diary

Next Area group meetings:

Brighton: 17th April, 7.30pm/23rd April, 11am

Oxted: 16th April, 7.30pm

Horsham: 17th April, 7.30pm

Crawley: 16th April, 5.30pm

Reigate: TBC

'roughest homes, and the roughest schools, in the roughest areas, of one of the roughest cities in the UK'. The set, a grey high-rise tower block, provided an appropriate backdrop for this gritty urban environment.

Glasgow was initially unsure about its new arrivals, with asylum seeking children being teased at their inner-city secondary school for being 'swots' as they were so keen to get an education. However, as soon as one of the school's number was threatened with deportation the students united to protect them. Along with the group of school girls there was also Noreen, a local pensioner who organised groups of local women to keep a watch out for border patrols and police on the estates to keep her 'bairns' safe. Ultimately the musical was a homage to Glasgow and the strength of its community, which comes together to protect its children regardless of where in the world they happen to have been born.

Lauren Cape-Davenhill.