

THE ISSUE

The public wants the government to ensure that fair and just decisions are made about who is given sanctuary.



WHAT CAN I DO?

Adopt one of the civil servants who make the difficult decisions about who needs sanctuary and who does not; encourage them to make fair and just decisions.

WHAT CAN I DO?

Volunteer to become a 'McKenzie Friend', supporting people seeking sanctuary when they go to court to have their case heard without a legal representative.

THE SOLUTION

Help make sure that the UK makes the right decisions about who needs sanctuary and who does not.

WHAT CAN I DO?

Set up a group to serve tea and coffee and provide a friendly welcome to people seeking sanctuary when they visit your local UK Border Agency office.

"THE UK SHOULD HAVE A FAIR AND EFFECTIVE DECISION-MAKING BODY THAT TAKES PRIDE IN GIVING SANCTUARY, TO THOSE WHO NEED IT, AND DENYING IT TO THOSE WHO DO NOT."
 " INDEPENDENT ASYLUM COMMISSION'S SAVING SANCTUARY REPORT MAY 2008

For more information and advice on how to perform these actions visit:
www.citizensforsanctuary.org.uk

CITIZEN ACTION TOOLKIT 7: Just decisions

Decisions about sanctuary are too important for citizen action, right?

Well, yes, they are important. In some cases they are matter of life or death for the person who is seeking sanctuary here.

But with all sorts of problems with the asylum system identified by the Independent Asylum Commission, the opposite is true. **Decisions about sanctuary are too important for citizen inaction.**

What will I find in this toolkit?

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10 WAYS FOR CITIZENS TO SAVE SANCTUARY



This toolkit is a supplement to the '10 Ways for Citizens to Save Sanctuary' booklet. You can download an electronic version or order copies of the full booklet at www.citizensforsanctuary.org.uk.

THE ISSUE

The public wants the government to ensure that fair and just decisions are made about who is given sanctuary.

The Facts

“The UK should have a fair and effective decision-making body that takes pride in giving sanctuary to those who need it and denies it to those who do not.”

One of the key principles from the Independent Asylum Commission’s *Saving Sanctuary* report

Links

Independent Asylum Commission reports
www.citizensforsanctuary.org.uk/reports

Independent Asylum Commission Opinion Poll
http://www.citizensforsanctuary.org.uk/pages/reports/report1/7_OpinionPoll.pdf

Fairness and Justice. Motherhood and Apple Pie?

So the public wants fairness and justice. No surprise there – after all, who is against fairness and justice? So it might be tempting to ignore this fact and move straight on to questions such as “what does the public mean by fairness and justice?”

But the public’s desire for fairness and justice is not just ‘Motherhood and Apple Pie’. The Independent Asylum Commission invested time and energy in gauging the attitudes of the public to people who come to the UK to seek sanctuary. The Public Attitudes Research Project convened 16 focus groups and over 50 ‘People’s Commissions’ that went beyond people’s gut reactions to probe the core values that they held in relation to sanctuary.

There was remarkable amount of agreement about how we should treat people seeking sanctuary in the UK, and these findings became the shared British principles on which all of the Commission’s recommendations are based. One clear value from the Commission’s ‘Saving Sanctuary’ report stands out:

“The UK should have a fair and effective decision-making body that takes pride in giving sanctuary to those who need it and denies it to those who do not.”

Notice the inclusion of the word ‘pride’. Over 65% of the British public are proud of the UK’s tradition of providing sanctuary to people fleeing persecution – and so it makes sense for the public to expect that the civil servants who make decisions about who can stay and who cannot should take pride in their work. After all, we are paying their wages through our taxes and they are doing a job of great importance in our name.

The bulk of the public do not have unrealistic expectations of our government – they do not want everyone to be allowed to stay, and they do not want everyone to be deported. They want the right decision to be made. In two words, they want ‘fairness’ and ‘justice’.

And so to the question of what the public thinks fairness and justice looks like. Well, the Public Attitudes Research Project may help us here too. It identified concern among the public about the consistency of decisions; some are interpreted as too soft and others as unduly harsh. We can all think of stories that fit this pattern. The aim must be to move from whether a decision is too soft or too harsh, to whether a decision is simply right or wrong.

THE SOLUTION

Help
make sure that
the UK makes the
right decisions about
who needs sanctuary
and who does
not.

The Facts

The Independent Asylum Commission applauded the work of CITIZENS at Asylum Screening Units, especially at Lunar House. In 'Deserving Dignity' they recommended:

"4.8.8 – That family-friendly improvements made to Lunar House in recent years, such as the provision of adequate baby-changing facilities, should be provided in all client-facing UKBA offices."

Links

For more on the UK Border Agency:

www.ukba.homeoffice.gov.uk

For more on the Lunar House Enquiry:

www.southlondoncitizens.org.uk

Getting it right

Making the right decisions – surely that's the government's job, isn't it? They have the expertise, the money and the responsibility. It's a tricky business and one citizens should keep out of.

Except these are *really* important decisions. So important that we cannot just leave it to the government and trust that everything will turn out for the best. Our treatment of people who come to us in search of sanctuary is an indication of our commitment to human rights, and the value we place on people who face persecution.

The Independent Asylum Commission identified many issues with how we, in the UK, decide who needs sanctuary and who does not. Our system is not perfect – and it never will be. It is operated by humans, for humans. However, the Commission heard testimonies that indicated that our asylum system was not just affected by human error, but by systemic failures too. These ranged from a culture of disbelief among some decision-makers to the lack of legal advice for people seeking sanctuary.

So the staff at the UK Border Agency, the body that makes asylum decisions, need our support. They need to be properly resourced and trained so that systemic failures are dealt with. They need to be held accountable and be open to challenge when a mistake is made. But most of all they need to know that the work they do matters and is appreciated.

Citizens really do have a role in making sure that the UK makes the right decisions about sanctuary. We have a role in supporting civil servants who make difficult decisions. We have a role in making sure that people seeking sanctuary are properly equipped and supported for an overly-adversarial asylum process.

We also have a role in monitoring our public buildings and providing a welcome and pastoral concern for people seeking sanctuary who use them. The Lunar House Enquiry, conducted by South London Citizens, is a great example of how ordinary citizens took an active role in evaluating the service provided at a UKBA building. The process resulted in many changes being made to the fabric of the building that benefited service-users and staff alike.

Now those citizens go to Lunar House every week, not just as citizens, but as much needed 'Friends' of the institution, of the people who work there, and of the people who use it.

WHAT CAN I DO?

Adopt one of the civil servants who make the difficult decisions about who needs sanctuary and who does not; encourage them to make fair and just decisions.

The Facts

To learn more about how each application is processed by a civil servant, see:

<http://www.ukba.homeoffice.gov.uk/asylum/process/processoverview/>.

The UK Border Agency employs over 18,000 staff.

World Refugee Day is on 20th June.

Further information

Let us know if you are interested in adopting a civil servant by emailing carina.crawford-rolt@cof.org.uk.

Why adopt a civil servant...? Well why not?

Crazy idea? Don't we normally sponsor a child's education in Africa or adopt an endangered elephant in India?

Perhaps, but the reason we sponsor that child or adopt the elephant is that we care about them - we think they are important enough for us to intervene to help them out, to make the world a better place, and to show we care.

Now civil servants are unlikely to be lacking in food or basic education, and few of them are likely to be shot for the medicinal qualities of their tusks! But they are important nonetheless, and frankly, they could do with a bit of love.

The civil servants employed at the UK Border Agency perform an incredibly difficult job on our behalf. As well as keeping our borders secure, they have to make life-or-death decisions about whether someone should be granted sanctuary in the UK or not, and then they have to enforce the consequences of that decision. Tough job, but if we want to offer sanctuary to people fleeing persecution, then somebody's got to do it.

Well, it turns out that they don't feel very appreciated. They are either taking flak for being tough on the good guys, too soft on the bad guys, or not doing their job properly. It's not so many years ago that their political boss, the then Home Secretary, described their department as 'not fit for purpose'.

That's why we are encouraging people to join our 'Adopt a civil servant' scheme. Remember, these guys work for us – they are paid with our taxes and operate the system on our behalf. So we want to encourage citizens to take an interest in the civil servants running our sanctuary system at the UK Border Agency - to thank them for the difficult job they do on our behalf, to remind them of the obligations they have to make just decisions, and to show them that they are appreciated.

The commitment to adopt a civil servant is not an onerous one. A friendly postcard on World Refugee Day, an occasional letter reminding them why we care, a small sanctuary-themed gift at Christmas... We'll do the details, you just let us know if you are prepared to show our public servants that citizens do care – about them, and about the decisions they make on our behalf.

We're looking to recruit people to join the scheme now!

WHAT CAN I DO?

Volunteer to become a 'McKenzie Friend', supporting people seeking sanctuary when they go to court to have their case heard without a legal representative.

The Facts

Where proceedings are held in open court, it is clear from the principles set out in Court of Appeal decisions that a litigant who is not legally represented has the right to have reasonable assistance from a layperson, sometimes called a McKenzie Friend ("MF").

Links

For guidelines on what it is to be a 'MacKenzie Friend', visit http://www.hmcourts-service.gov.uk/cms/files/mckenzie_friends_note.pdf
For more information on what a 'MacKenzie Friend' does, visit: http://www.mckenziefriends.net.au/index.php?option=com_content&task=view&id=29&Itemid=43.
To arrange training through the Zacchaeus 2000 Trust, visit <http://www.z2k.org/memos.html>

In need of a Friend

The Independent Asylum Commission identified that our system for deciding who needs sanctuary and who does not is highly adversarial.

If your claim is refused then many people go to the courts to appeal the decision – and many people are granted refugee status at appeal. However, the Independent Asylum Commission also highlighted the lack of legal aid and the fact that many people seeking sanctuary have to go to court without legal representation.

Now I don't know about you, but I wouldn't ever go to court without legal representation. Even as native English speakers who understand how the 'system' works, few of us would be confident of dealing with legal issues without a lawyer.

So imagine what is like for people who have a real fear of persecution, for whom a decision could be a matter of life or death – imagine not being able to access legal advice in that situation. That is the tragic reality for many.

Poor or no legal representation can place people seeking sanctuary at a considerable disadvantage, and can lead to unjust decisions. Recent cuts in legal aid make it harder for people seeking sanctuary to secure a legal representative for their hearings.

What we really need is a system whereby no person enters court unrepresented, but failing that there is something that you can do. Your assistance as a 'McKenzie Friend' could really help justice and provide much-needed support in an intimidating and often unfamiliar environment.

Although 'McKenzie Friends' cannot actually legally represent someone seeking sanctuary *as such*, or address the court or act on their behalf, you can provide moral support, help with case papers and quietly give advice throughout. Your input would go some way to compensating for the disadvantage that people seeking sanctuary face when they are forced to go to court without legal representation.

If this sounds like something you could help with then see the links section for more details.

WHAT CAN I DO?

Set up a group to serve tea and coffee and provide a friendly welcome to people seeking sanctuary when they visit your local UK Border Agency office.

The Facts

-An Asylum Screening Unit is where initial claims for sanctuary are made. There are two locations, Croydon and Liverpool.

-There are many public enquiry offices throughout the UK, where follow up queries are made.

-Once someone has been refused sanctuary, they may need to report on a regular basis. These are called reporting houses.

Find details at www.ukba.homeoffice.gov.uk.

Further information

You will need to negotiate with the UKBA in order to get them to agree on providing the service. For help in setting up a negotiation, contact carina.crawford-rolt@cof.org.uk.

More Friends!

There are many UK Border Agency Offices throughout the UK, all with different purposes all seeing thousands of people seeking sanctuary.

For many it will be the first contact with Britain's authorities and so it is essential that they are made to feel welcome. When claiming asylum, people are sometimes have to wait for hours. The South London Citizens enquiry into Lunar House, found that more needed to be done to make those seeking sanctuary to feel welcome, respected and comfortable.

South London Citizens took it upon themselves to provide this service. The Friends of Lunar House is SLC's voluntary welcoming service to people seeking sanctuary at Lunar House in Croydon. So far, twelve volunteers have signed up to be Friends. They serve hot and cold beverages, and provide a friendly face, a listening ear and a welcoming presence at the Asylum Screening Unit at Lunar House.

Why don't you find out if there are any UKBA buildings near you and set up a similar service? You will need a team of reliable volunteers who are happy to get stuck in. They need to be very personable people who can offer a smile in every situation.

You will also need to negotiate with the UKBA to set up a similar service.

Once you have a team of volunteers set up, you will need to get them security checked. This takes some time, so be patient! Once you have the passes then it's time to get started. At Lunar House, the UKBA provide the tea and coffee. However, if this is something that your local building refuses to provide, then you may need to raise some money.

Once you have the service running, think of making the service as friendly as possible, design flyers in different languages, welcoming and promoting the free service. Have badges so that you are easily identifiable and separate from the Home Office staff.

Cathedrals and stately homes need 'Friends' to support them – and so why not our public UKBA buildings?

Resources

Title

Text

Please let us know how you get on with these actions. We will collate all of the results from across the country and add them to our website so we can see all the change we have accomplished.

If you need advice or support, please contact carina.crawford-rolt@cof.org.uk.

Good luck!