

Britain

Immigration and Asylum Bill turns refugees into pariahs

Tony Hyland
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The Labour government's Immigration and Asylum Bill sets out a raft of measures due to become law in the New Year. The policies it contains further restrict the right to asylum.

'Fairer, firmer and faster', was Home Secretary Jack Straw's sound bite when the measures were outlined. The first is a reference to the decision to grant 'leave to remain' to some 30,000 refugees whose claims are pending from before 1995. This is a largely administrative device to reduce the backlog of 84,000 cases. It will be applied to cases where no initial decision was taken on asylum applications.

By taking into account family ties rather than the asylum issue alone, the government claims to be acting compassionately. However, this gesture was made whilst announcing proposals that will ride roughshod over such considerations in the future and strengthen laws which already deny asylum to the majority of applicants.

The measures are drawn from a White Paper published in July. Most likely to become legislation are those proposals withdrawing legal rights and welfare payments to asylum seekers. At their centre are moves to strip away present legal recourse refugees have to appeal against an 'initial refusal' by immigration officers. The ability to seek a Judicial Review is to be eliminated, as is the right to appeal against a deportation order made following an earlier lost appeal.

Applicants will only have the ability to appeal to the same authority that turned down their initial asylum request. Its decision will be final in all but name, as the time period for making an appeal will be reduced from 28 to 5 days--effectively preventing fresh evidence being gathered in time to support their case.

The White Paper proposes an increase in the number of places where asylum seekers can be detained prior to their 'removal', i.e., deportation. It calls for detention to be the norm 'where removal is imminent'. More refugees will be effectively imprisoned, under conditions where Britain has already been singled out for criticism due to the numbers it incarcerates.

Labour's plans go further than the legislation introduced three years ago by the Conservative government that curtailed benefit and housing provisions for asylum seekers. In 1996 the Tories withdrew these provisions from those who applied 'in-country', as opposed to those who applied 'at port'. Many asylum seekers apply for residence 'in country' in order to avoid immediate incarceration at the port of entry and transfer to prison or one of Britain's notorious Detention Centres. Labour will extend this legislation to cover all refugees. In place of cash benefits, a voucher system will be introduced to cover basic items such as food and clothing.

Under the 'designated' housing system, asylum seekers will be dispersed around the country. Rather than being housed in permanent accommodation, refugees will be forced to lead a transitory existence in bed and breakfast lodgings, without any disposable income.

This measure is also aimed at preventing the type of broad-based campaigns mounted in the past to protest against the repatriation of immigrants who established close ties in their workplace or local community. With this type of segregation, refugees will be reduced to the status of pariahs.

Immigration officers are to be given powers normally reserved for the police, including fingerprinting and the

right to enter property on the pretext of suspected 'immigration offences'.

Aspects of the White Paper that could also become law will have wider ramifications for ethnic minorities with a long history of settlement in the UK. Labour was previously committed to repealing part of the 1996 Act that threatens companies with fines for employing illegal immigrants. However, the White Paper recommends that checks on status at work by immigration officers be retained. This places ethnic minorities under a constant state of siege and stands on its head the legal axiom of 'innocent until proven guilty'.

Settled immigrants will also be affected by the plan to reintroduce a financial bond before a visitor's visa will be processed. The family of any visitor will be obliged to tender what could be a prohibitive sum of money, which will only be reimbursed once the visitor has left the country. The right to appeal against the refusal of a visitor's visa is to be reinstated, but with no legal aid available for such appeals.

This will discriminate against those from the former British colonies of the Caribbean, Africa and the Indian subcontinent, as other predominantly white Commonwealth countries such as Canada are not subject to visa requirements.

In order to justify these draconian measures, the Labour government, with assistance from the mass media, claims that Britain is being 'swamped' by refugees exploiting lax border controls. The reality is very different. In 1997, out of a total of 32,000 applications, 29,000 were refused. Over the last decade less than 10 percent of the 268,595 asylum-seekers who arrived in the UK were granted refuge.

The previous Conservative government went a long way to closing the door on refugees. Labour's Immigration and Asylum Bill aims to slam it shut and keep it bolted.

See our report tomorrow: 'British media incites hatred against Eastern European refugees.'

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