

UK asylum policy faces criticism as Kurdish family is deported

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The British government's treatment of families seeking asylum has come under growing criticism following the widely reported detention and deportation of a family of Kurdish immigrants.

Yurdugal Ay and her four children were deported to Germany earlier this month after being held for a year in a detention centre for so-called "failed" immigrants. Now staying in a centre near Frankfurt run by an evangelical church, the family face removal to Turkey. Yurdugal's husband Salih had already been sent back to Germany, where he was subsequently deported to Istanbul. No word has been heard from him since.

Salih and Yurdugal had fled Turkey 15 years ago. Their children, Beriwan (14), Nerwoz (13), Dilowan (12) and Medya (8), have never been to Turkey.

During their time in detention the Ays and their legal counsel have repeatedly appealed against the British government's decision to remove them from the country. But despite the clear danger posed to them as Kurds should they be sent to Turkey, and the fact that the children had been settled in English schools, their request to remain in Britain was finally turned down by the Court of Appeal.

The family hoped for a last chance to overturn the deportation decision through an appeal to Britain's highest court, the House of Lords. At the end of July they were denied permission to pursue their case.

The Home Office wasted little time, signing their deportation papers and removing them from the country within days. The Ays were transferred from the remote Dungavel detention centre in Scotland where they had been incarcerated for over 12 months to the Immigration Service's Tinsley House accommodation near Gatwick airport outside London. They were then flown to Germany on a chartered flight.

Such was the Home Office's rush to get them out of

Britain that the family were dispatched without their medical and social work files. It was left to their lawyer, Aamer Anwar, to arrange for the documentation to be sent to Germany.

Speaking to journalists prior to deportation Beriwan, the eldest of the four children, said, "I thought Britain was a democratic country where they looked after children because it's their duty to look after children. But it's not."

Asked if she had a message for the government she replied: "I'd say to the government I've been here for one year in a detention centre to fight my case... I can't go back to Germany because they will send me to Turkey. I can't go to Turkey. I'd have to change my name because it's a Kurdish name, there's no education, there's persecution... I can't go back."

On conditions in Britain's detention centres, she said: "Everyone at Dungavel calls it a prison. Nobody calls it a detention centre. Everybody calls it a prison because it's a prison with fences and barbed wires where children can't go outside and have their freedoms and enjoy themselves. Detention centres are very bad for their mental health."

The family had insisted that they would resist all efforts to make them board the plane. However, following threats from officials at Tinsley House that handcuffs and physical force would be used if there were any resistance the Ays decided to go peacefully. Once onboard the family was split up, with Yurdugal and each of her children—who had never flown before—each made to sit between two security guards. Friends and supporters claimed that the children were mentally unfit to make the journey. Thirteen year-old Nerwoz has stopped eating and is showing visible signs of stress.

The family's legal team said that it would continue

the battle to be granted asylum. Klemens Ross, a lawyer in Germany has taken up their case. Pro Asyl, a German human rights organisation, has also made contact with the Ays.

Karl Kopp, director of European affairs with Pro Asyl, commented on the way the Ay family had been treated in Britain: “We are astonished and shocked that you have detained a family for more than one year. I would say Germany is the most restrictive country in Europe in terms of asylum—there is a lot of detention and deportation—but still this could not have happened in Germany. To detain children is incredible. We have the impression that especially the children are traumatised after this horrible year of detention.”

Kopp warned that German immigration authorities could deport the family to Turkey very soon. “They are still facing the threat of deportation. The only reason the German authorities couldn’t or didn’t deport them immediately was because they weren’t prepared.”

Human rights activists and legal professionals, religious leaders, and working people have expressed their disgust at the treatment of families like the Ays. Thousands have signed petitions protesting to the Home Office, written letters to their parliamentary representatives, and sent messages of support to Mrs Ay and her children.

Sarah Parker from the Ay family campaign in Gravesend, Kent, where the family had lived for three years, expressed the sadness and distress felt by friends and supporters of the family in the area. She said that the family had settled in well to the community before being forcibly removed to a detention centre.

Several reports on the conditions inside Britain’s detention centres have shown that government policy is causing enormous suffering for asylum seekers, especially children. A report, newly published by the prisons inspectorate on the Dungavel detention centre criticised the lack of educational and recreational facilities available to detainees. This comes on top of numerous published findings by psychologists and children’s charities stating that these centres cause great damage to the young people kept there.

Professor Henry Zeitlin, a specialist in child and adolescent psychiatry at University College London, met the Ay children earlier this year. He concluded that their detention was “potentially very damaging”. If they had been British children, he said, their case

“would invoke issues of child protection.”

Even sections of business fear that the assault on those looking for asylum could have a negative impact and discourage immigration needed by many industries and public services. The *Sunday Herald* newspaper conducted a survey among religious, trades union and business leaders in Scotland indicating a high level of disquiet over the impact that detaining immigrant families could have on Scotland’s tourist reputation and the Scottish Executive’s campaign to attract skilled overseas labour. The *Sunday Herald* editorialised, “It is right and proper and highly civilised that Scotland should open its door to talented and skilled immigrants. In a country with a fast declining population, our futures could depend on them. By the same token it is equally right and proper and just as civilised to speak out on a case as inhumane and wrong-headed as the Ays’.”

Aware that the Dungavel centre is becoming a national disgrace that threatens to hamper the area’s economic interests, there is growing pressure on the Scottish Executive to seek an arrangement with the British Home Office whereby Dungavel is shut down or substantially remodelled. Generally supportive of the government’s measures against immigrants, the press has sought to paint the Ays as a tragic but unusual case. However, the isolation and mistreatment of asylum seekers, a tactic at the heart of Labour’s attempts to discourage desperate people from coming to the country, creates a constant stream of similar cases. Approximately 50 children and hundreds of adult asylum seekers are locked up in centres across Britain at any one time.



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