

Foreword



It is my great pleasure to present this final report for the East Midlands regional **Race, Asylum and Nationality Conference** that took place on 22 June 2005 during the national Refugee Week.

Whilst planning the event, we hoped that it would bring Asylum Seekers, Refugees, African, African Caribbean and Asian Organisations, voluntary sector and Statutory Service Providers within the region together, in the spirit of celebration and honest discussion. The event was in part to educate Black Organisations about the issues around asylum, and, in part to educate Asylum Seekers and Refugees about African, African Caribbean and Asian issues in England.

Further, the event was delivered to set the context for carrying forward programmes, strategies and projects in the various sectors. Dissemination of key issues enables key stakeholders and conference organisers to pursue a proactive agenda to positively influence policy and practice.

The conference was intended to be holistic bringing together service users and service providers (including policy makers) in an attempt to close the gaps in service provision between user/client needs whilst providing ideas for organisational capacity building. I hope that we achieved this goal and that the conference is seen as a starting point for discussion that will lead to both local and regional actions.

As chairperson I would like to thank once more all sponsors, partners, speakers, workshop facilitators and people who attended for making this such a successful event.

Iris Lightfoote

BIOGRAPHY

Iris Lightfoote was educated in Leicester at primary and secondary levels through to Leicester Polytechnic and University of Leicester where she gained a BA in Social Sciences and an MA in Criminology respectively. She was a Cropwood Fellow at Cambridge University in 1995.

Having worked at Nottingham City Council and Leicester City Council housing departments, Iris joined the Leicester Racial Equality Council as a criminal justice officer, becoming Chief Executive in 2001. In her time as Chief Executive she has increased the dedicated areas of work within the organisation to include the creation of teams to work with refugees and asylum seekers; racial harassment; sport and physical activities; claimant aid as well as targeted work on policy development within the various sectors.

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Conference Objectives:

- i. To celebrate the positive diversity that asylum seekers and refugees have brought to the East Midlands
- ii. To bridge build and encourage unity between asylum seekers/refugees and the African, African Caribbean and Asian communities
- iii. To foster dialogue between Asylum Seekers, Refugees and Statutory Service Providers
- iv. To encourage understanding of the Race Equality Duties under the Race Relations Amendment Act 2000 in relation to Refugees and Asylum Seekers

Conference Overview

Speakers

The Key Note speakers highlighted the expectations under the Race Relations (Amendment) Act 2000 (“RRAA”) and gave us an understanding of what is happening both nationally and regionally. They recognised the need to utilise the RRAA more fully in an attempt to demonstrate full understanding of the issues and ultimate inclusion of the service user.

The legislation and accompanying codes of practice demonstrate what is required to achieve best practice (at the base line). Public sector is required to use this as a starting point in the exercise to actualise the

**elimination unlawful race discrimination;
promotion of equality of opportunity, and
promotion of good relations between different racial groups.**

Mike Mahony recognised this in informing the conference of Immigration and Nationality Directorate’s (the IND) need to provide effective training for its staff to ensure avoidance of unlawful discrimination and understanding and commitment to the promotion of race equality and good race relations. As a department, IND should take a more active role in entering into a *‘fair and balanced debate on immigration and asylum issues, and of countering the negative image often portrayed in the national and local press’*.

Karen Chouhan questioned where the real issues are being addressed for example in unemployment, housing, health and criminal justice system. These are all areas within which the Public Duty plays a part but answers would only be forthcoming if the public authorities become mindful of what is required of them. That is, when they ensure they are compliant with the legislation.

Dick Williams reminded the conference that there is a need for refugee community organisations to be at the decision making tables such as Local Strategic Partnerships thereby giving them the opportunity to be a part of the work and associated finances, which is currently being driven on their behalf.

Overview Of The Morning Workshops

It was reiterated that negative media scare stories about asylum seekers impacts on views of all communities, including BME communities. Also there is a need for real and sustainable funding for those who are actually involved in the service delivery to and for new arrivals. To aid that process refugee community organisations must be involved in the priority setting.

Racism, as a real barrier to promoting good race relations, was a theme which ran through a number of the workshops. There was debate on the need to confront this as a matter of urgency.

The Public Duty should be used by the public sector to ensure its policies, functions and practices are appropriate to the service provision and, if undertaken correctly, the good practice identified by some workshops as a necessity, would be commonplace.

The Stephen Lawrence Inquiry Report which led to the RRAA, recognised Institutional Racism. That is:

‘...the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantage minority ethnic people.’

Since the inception in 1976 of the Race Relations Act, the Commission for Racial Equality has undertaken a number of formal investigations where major institutions were subjected to full and formal legal scrutiny with the obligation to comply with recommendations to reform practices, which were discriminatory on the grounds of race. Further, there have been thousands of applications requiring support from individuals with claims of racial discrimination, not to mention the thousands that have been informally resolved.

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As it has been rehearsed and evidenced through the investigations and applications for support ‘racism’ exist – it is necessary for us to move the solution from institutions alone, as those institutions are seen as perpetuating the problem, to eliciting the assistance and direct involvement of those who have been, and are suffering from the impact of that discrimination. The RRAA and accompanying codes of practice give institutions the method through which racism can be pro-actively challenged from an institutional level through the full and proper engagement of all stakeholders, including service users.

The Stephen Lawrence Inquiry Report made a further point in the analysis of institutional racism;

“[R]acism persists because of the failure of the organisation openly and adequately to recognise and address its existence and causes by policy, example and leadership. Without recognition and action to eliminate such racism it can prevail as part of the ethos or culture of the organisation. It is a corrosive disease.”

To address this corrosion the Codes of Practice, which accompany the RRAA have determined the benefits of;

compliance on service delivery

- to encourage policy makers to be more aware of possible problems;
- to contribute to more informed decision making;
- to make sure that policies are properly targeted;
- to improve the authority’s ability to deliver suitable and accessible services that meet varied needs;
- to encourage greater openness about policy making;
- to increase confidence in public services, especially amongst ethnic minority communities;
- to help develop good practice; and
- help to avoid claims of unlawful discrimination.

And, on employment

- to help make the authority’s workforce more representative of the communities it serves;
- to attract staff;
- to avoid losing or undervaluing staff;
- to improve staff morale and productivity;

- to improve staff management;
- to help develop good practice; and
- help to avoid claims of unlawful discrimination.

Indeed, the discussions throughout the day identified that the above points were the missing elements and without these being adequately addressed (that being, threaded through and across organisations), the issues and concerns highlighted will remain.

Finally, this conference was deliberately held during Refugee Week although the issues identified by the delegates and speakers recognise that the work with rather than solely on behalf of new arrivals in the East Midlands is needed throughout the year. The collective responses to the tasks in hand would without doubt contribute to an increased awareness by public bodies, voluntary sector and community groups of the need for inclusion of new arrivals at the appropriate tables to ensure policies and practices are fit for purpose.

Overview Of The Afternoon Workshops

There was a firm view of the lack of compliance with the RRAA and to this end the local representatives saw the need for proper training to be given to all sectors.

There appeared to be a lot of activities within some areas but little formalised co-ordination. This was seen to slow the integration of new arrivals. Limited resources means meeting the challenges of the public sector in terms of rearranging the priorities to match funding criteria. However if the public sector were engaging with the RRAA in good faith, voluntary sector organisations might be in a better starting position to secure resources.



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Recommendations

This conference should be seen as paving the way for Black and Asian organisations to build bridges with each other and with Refugee Community Organisations (“RCOs”) as well as continuing their developmental role for their communities for which they have been set up. Perhaps it should be made an annual conference as we do not know of other events that bring groups together to talk about Race Asylum and Nationality in East Midlands.

ACTION	BY WHOM
When undertaking policy impact assessments in line with RRAA, public authorities should make every effort to meaningfully communicate with new communities to engage with them. This action is not restricted to policies on equality issues or on new arrivals.	All public authorities
Work towards enabling RCOs to have a voice in decision making both regionally and locally and providing opportunities to do so.	All public authorities
Equip the Government Office for the East Midlands (GOEM) to agree the appropriate local area agreements to set targets for new arrivals.	CRE, RECs, EMREC and EMCARS
Encourage Local Strategic Partnerships to prioritise the equalities agenda.	All public authorities
Work in partnership with LGEM Community Relations Network to review local authorities’ race equality schemes.	LGEM, GOEM
Assist capacity building for agencies and community groups supporting new arrivals and organise training about RRAA.	CRE, REC, EMREC, EMCARS
Decisions about government funding should be devolved to regional and local level.	GOEM and EMCARS

Opening Remarks

By The Lord Mayor



Lord Mayor,
Councillor Draycott

The Lord Mayor, Councillor Mary Draycott, told delegates that the conference was an important part of keeping the humanitarian case for support for persons from abroad on the government agenda.

She stated that globalization had created a situation whereby millions of people were on the move from their places of origin, fleeing political persecution and lack of economic opportunities. All the great democracies that were the greatest economic powers were those states that have turned the energy of newcomers into economic powerhouses. United Nations is committed to the free movement of people but this requires fluid frontiers and a need for a humanitarian welcome for those from other countries. Sadly, this is not always the case. Globally, the world needs to think less about what separates us and more about what unites us. Therefore, we as a city were uniting around *“make poverty history”* rather than the idea *“what goes on in the rest of the world does not affect us”*.

Leicester, as a multi-cultural city, has a belief that newcomers benefit and enrich our lives and that we are constructing a tolerant and civilized society based around social cohesion, at the same time giving reassurances to the settled communities in the city. We want to know what unites us not what divides us and we want to use the themes of sport and music to achieve these ends.

She said that as the Lord Mayor of Leicester, she was proud of our diverse communities, a complex city that is constantly evolving but remains true to its principles of tolerance, respect for each other and a hope for a brighter future.

She recognised that the Government must act decisively to curtail illegal immigration and criminal activity, but in that recognition the Lord Mayor advised that the management of people means cities have a responsibility to ensure social inclusion.

BIOGRAPHY

The Lord Mayor was born in Leicester and was educated at the Thurnby Lodge Primary and Spencefield Secondary Schools. The Lord Mayor has represented the Coleman Ward for 16 years, first on Leicestershire County Council from 1989 – 1996 and on the City Council from 1991. Over the last 16 years, the Lord Mayor has served on a number of committees. From 1992 – 1994 former Police Committee, 1996 – 1999 Environment Agency East Midlands REPAC, a member of the Fire Authority 1977 – 2004 and served as Chair/Cabinet Lead for Finance and as Deputy Leader of the City Council.

In addition, the Lord Mayor served as Justice of the Peace (Leicester Bench) 1997 – 2004 and School Governor at Rowlatts Hill Primary School since 1989. In 1969, Mary married Raymond and they have two grown up daughters, Carol and Kate. Carol works in local government and Kate is an Underwriter in the City of London, after obtaining her degree in Geographical Studies.

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Race, Asylum And Nationality: The National Picture



Mike Mahony, IND,
Social Policy Unit

The United Kingdom has always offered a haven for refugees and the 1951 Refugee Convention is a cornerstone of our immigration policy.

In 2003, 26,000 asylum seekers from a large diversity of countries were granted refugee status. Immigration & Nationality Directorate (“IND”) actively promotes their resettlement and integration into the society with their most recent policy statements: The 5-year strategy ‘Controlling Our Borders’, and ‘Integration Matters’.

Refugee Integration

Better integration of refugees promotes both social cohesion and economic development. Home Office’s new refugee integration strategy *Integration Matters*, published in March 2005, sets out actions to assist the integration of those accorded refugee status. English language skills are critical to integration and so the targeting of ESOL resources is of great importance. Intending new citizens must now pass test of English language skills and life in the UK test is to be introduced in the future.

Home Office core-funds (6 million per year) major national charities working to help refugees (Refugee Action, Refugee Council etc). In addition, it funds a wide range of individual projects promoting refugee integration through the Refugee Challenge Fund and a large number of Refugee Community Organisations through the Refugee Community Development Fund (£1 million per year). It has set up a national forum for policy development, the National Refugee Integration Forum which is chaired by a Home Office Minister Andy Burnham. It is also piloting a new programme, SUNRISE, under which all new refugees will be offered a caseworker to help them draw up a personal integration plan and allocated £3.6 million over 3 years for a scheme under which all new refugees will be offered mentors.

On The Race Equality Duty

Race Equality is a key element in all that the Home Office does. RRAA extended the prohibition against unlawful race discrimination to public authorities; placed on them a duty to promote race equality and good race relations; and placed on them a duty to promote equality of opportunity (subject to an exemption for the exercise of immigration and nationality functions). Public authorities are further required by the Race Relations Act 1976 (Statutory Duties) Order 2001 to publish, and review every three years a Race Equality Scheme setting out: functions and policies, or proposed policies, assessed as relevant to its performance of the race equality duty; and arrangements for assessing and consulting on the likely impact of its proposed policies on the promotion of race equality; monitoring its policies for any adverse impact on the promotion of race equality; publishing the results of such assessments consultation and monitoring; ensuring public access to information and services which it provides; and training staff in connection with the duties imposed by the Race Relations Act and the Order.

haven

The Identified Key Challenges

The Home Office needs to build public confidence that immigration is being managed and controlled and that operations avoid all unlawful discrimination.

It needs to ensure that:

- contractors operating detention services or other functions on behalf of IND are controlled and monitored to ensure that they and their staff avoid unlawful discrimination and racial harassment and actively promote race equality;
- ministerial authorisations under RRAA section 19D are properly justified, evidence-based, legally robust, and kept in force for only so long as necessary;
- dispersal of asylum seekers takes into account issues of local race relations, and the nationality or ethnic composition of the local community including asylum seekers or refugees already resident;
- refugees are empowered to achieve their full potential as members of British society, to contribute fully to the community, and to become fully able to exercise the rights and responsibilities that they share with other residents; and that
- the Home Office race employment targets for minority ethnic representation, progression and retention are met in IND, and IND employment practices promote race equality and equality of opportunity and avoid all unlawful discrimination.

The Way Ahead For IND

It is important to have a fair and balanced debate on immigration and asylum issues, and to counter the negative image often portrayed in the national and local press. IND needs to conduct an appropriate Race Equality Impact Assessment in accordance with CRE guidance for all proposed policies and monitor existing policies and operations

IND plays a vital part, in partnership with NGOs and local communities, in promoting the integration into our society of refugees from persecution and injustice in other countries. The promotion of race equality and good race relations, at both national and local level, has a vital role to play in ensuring the acceptance of refugees and it is essential to provide effective training for the staff to ensure commitment to this. Home Office welcomes the participation of local authorities in the resettlement of refugees and particularly in the Gateway scheme and is always looking for new local authorities that may wish to help.

BIOGRAPHY

Mike has for the past 2 years been an Assistant Director in the Social Policy Unit of the Immigration and Nationality Directorate (IND) of the Home Office, working in Croydon, where he deals with health issues and race equality. He recently revised the IND Associate Race Equality Scheme, which was published in 2005. Before joining IND Mike worked in a variety of departments, including the Health and Safety Executive, the Cabinet Office, the Department of Trade and Industry, the Ministry of Defence and the Inland Revenue. While in the Ministry of Defence he helped organise a relief airlift by the RAF of food for famine-struck areas and visited the operation in West Africa, during which he flew into Timbuktu in a RAF Hercules carrying sacks of grain. He holds an MBA from the Open University, for which he tutors students in Business Studies, and with which he is currently studying himself for a maths degree. He is married, with two children still at school, and lives in West Horsley in Surrey.



The Regional Context: 'Hoodies, Hijabs And Anoraks'



Karen Chauhan,
Director 1990 Trust

"All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development."

(International Convention on Civil and Political rights -1st Article)

In the United Kingdom, we are faced with CID;

Citizenship – oaths of allegiance and English tests

Cohesion – multiculturalism is dead?

Commission for Equalities and Human rights

Immigration and Asylum

Integration – who has segregated who?

ID cards

Diversity – equal value? Strength in diversity?

Discourse – Blaming the victim

cultural develop

Our current position was arrived at from a myriad of Immigration Legislation that includes;

1905 Aliens Act, 1914 Aliens Restriction Act, 1919 Aliens Restriction (Amendment) Act, 1920 Aliens Order (renewed every year until 1971), 1947 Polish Resettlement Act, 1948 Nationality Act (CUKC), 1962 Commonwealth Immigrants Act (Employment Vouchers), 1968 Commonwealth Immigrants Act (patriality), 1969 Immigration Appeals Act, 1971 Immigration Act (stopped secondary immigration), 1981 Nationality Act (ius soli), 1986 Visa Controls for India, Pakistan, Bangladesh, Nigeria and Ghana, 1986 Immigration (Carriers Liability) Act, 1988 Immigration Act, 1990 British Nationality (Hong Kong) Act, 1993 Asylum and Immigration Act, 1994 Immigration rules, 1995 Asylum and Immigration Act, Immigration and Asylum Act, 2002 Nationality, Immigration and Asylum Act, Asylum and Immigration (Treatment of Claimants) Act 2004

and, directives and discussion papers in between such as 'Controlling our borders, making immigration work for Britain'.

For example, The 'Secure Borders, Safe Haven' introduces

'I _____ swear by almighty God (or do solemnly and sincerely affirm) that on becoming a British citizen I will be faithful and bear true allegiance to her majesty the Queen Elizabeth the second, her heirs and successors according to law.'

New arrivals need to learn English, learn our customs; don't take a marriage partner from overseas under the guise of managed migration. 'What does the UK need to do to ensure that it has the people it needs to prosper in the world economy?'; Surely the answer cannot be to stop all asylum seekers applying for work and it further cannot be 'New Labour Gurus warning Blair to get tough on immigration'.

Identified problems from this discourse include: conflation of asylum, immigration and race and a culture of suspicion which threatens all Black people. With the exemption of IND from the RRAA (Section 19d) there is no recording or transparent monitoring of stops and searches by immigration officers; fingerprinting for all who make visa application;

increase in bonds and sponsorship; electronic tagging; increased detention and withdrawal of indefinite leave to remain. Because of the cuts in legal aid – there is now a lack of representation and an abolition of right to oral appeal for family visas (success rate was 78 % for oral, 32% for written).

Looking specifically at the situation in East Midlands, in Leicester against the odds, we see a history of beneficial immigration. The New Skills –NIACE's survey of 121 asylum seekers found 80% plus had high levels of skills - teachers, doctors, lawyers, nurses etc. There has been a generation of 100 or so new businesses.

New legislation/policy includes Equalities Bill, Race Relations Amendment Act, Equalities review, Discrimination law review, UNCERD (Committee for the Elimination of all forms of racial discrimination) and a 10 point plan from cabinet office.

However, where are the real issues being addressed? The figures for example in:

(i) Unemployment

Ethnic Group	Women	Men
White	3.8%	5.6%
Chinese	5.4%	5.5%
Indian	6.2%	6.1%
Black Caribbean	7.8%	14.9%
Black African	12.2%	14.2%
Pakistani	14.5%	13.6%
Bangladeshi	16.5%	15.9%

(ii) Other status

- 4.6 million Black people
- 13 Black MPs
- Male prisoners: Black = 14.9%, Asian = 3.2%, Chinese & Other = 4.1%
- Female prisoners: Black = 23.9%, Asian = 0.9%, Chinese & Other = 4.7%

Pay

White men	£11.48
Black men	£10.60
White women	£9.58
Black women	£9.72

ment

(iii) Housing

50%+ Pakistani and Bangladeshi households are in the 10% most deprived wards in England, and one third of Black Caribbean households compared to only 14% of White households;

About one third of Pakistani and Bangladeshi households live in unfit properties compared to about 6% of White households;

In London between June and September 2000, 49% of people accepted as homeless by local authorities were from ethnic minority communities.

(iv) Health

Black people experience a lower standard of care in health services, and the existence of institutional racism in the National Health Service is now widely acknowledged (see the report on David 'Rocky' Bennett on www.blink.org.uk). Black people have lower life expectancy. Black communities experience higher levels of certain diseases than the majority White population, most notably coronary heart disease, cancers, haemoglobinopathies, diabetes, mental illness and tuberculosis.

It is important to also note that a report by the British Medical Association on the health of asylum seekers suggests that asylum seekers' health deteriorates after arrival to the UK.

(v) Stop and Search

- Relative to the population, in 2003/4 Black people were six and half times more likely to be stopped and searched than White people, a rise on the previous year.
- For 2003/04 for White 43%, Black 55% and Asians 22%

(vi) Section 44

In 2001/02 less than 3 per cent of those stopped and searched were arrested. Some 20 people were arrested in connection with terrorism but 169 were arrested for other reason. In other words, the terrorism power is used 8 times more to arrest people for what has been called by some "ordinary decent crime" than for terrorism. In 2002/03 the percentage arrested dropped to under 2 per cent. The number of arrests in connection with terrorism has declined and the numbers arrested for other reasons increased by 190 to 359 arrests. There are now 20 times more arrests for "ordinary decent crime" than for terrorism under powers, which were specifically introduced to counter acts of terrorism.



BIOGRAPHY

Karen is the Chief Executive of the 1990 Trust (a national Black Non-Government Organisation and a charity). Karen was selected in May 2005 by the Joseph Rowntree Charitable Trust to be one of seven 'visionaries' with ideas to change the world. Karen is aiming to build a UK wide Black led alliance for race equality. Karen Chouhan was born in Pakistan and grew up in London before going to Leicester to study for a philosophy degree. After completing her masters degree in "Race' And Community Studies" in Bradford at the height of Black British political activity she became a founder member of the Black members' organisation of NALGO (now Unison). She was also a founder member the National Black Caucus, the 1990 Trust and of Belgrave Baheno women's organisation, Leicester, now owners of a multi-million pound organisation called The Peepul Centre of which she is chairs. She is the Vice chair of the Black Londoners forum, vice chair of the UK Race in Europe Network, and an executive member of the National Assembly Against Racism. For 12 years she was a senior Lecturer at Leicester's De Montfort University where she was the programme leader for the MA in Community Education. She was particularly involved in developing partnerships for change between academia and grass roots activism in Black communities. She has also worked in local government for seven years where one of her principal interests was the development of Black workers groups and the civic engagement of local communities.

The Race Equality Duty

And The Needs Of Asylum Seekers And Refugees

Dick Williams, Regional Development Manager, Refugee Council

As previous speakers had already covered the national strategy for the integration of refugees 'Integration Matters', and the RRAA General Duty on public bodies, Dick chose to refer to a number of government initiatives or programmes with similar aims which provide structures or resources that could be used to promote race equality and refugee integration.

At least three different sections of the Home Office are involved, the Active Communities Unit, the Social Policy Unit and National Asylum Support Service together with regional consortia for asylum/refugee support.

He stressed the importance of local multi-agency for linking in with Local Strategic Partnerships. He also talked about the need for capacity building refugee community organisations (RCOs).

Dick saw the RRAA as an enforcement tool to be used to challenge public bodies.

He felt it was important to find effective ways to use the legislation at local level and suggested that this should focus on 3 questions:

- 1) **how to engage and involve RCOs at local level, supporting RCO development and concentrating on what they need;**
- 2) **how to use refugee communities to do the research needed; and**
- 3) **how to identify, disseminate and put into practice existing good practice.**

Finally he referred to a number of examples of good practice, the ICAR website www.icar.org.uk and projects in Hull and Peterborough.

BIOGRAPHY

Dick Williams began working for the Refugee Council in 1994 as a bi-lingual caseworker for the multi-agency Bosnia Project which provided support for Bosnians who had been granted temporary protection in the UK as part of a UNHCR and Home Office-sponsored programme. He later worked as a Bosnia Project Development Worker and Bosnia Project Inter-agency Co-ordinator liaising between Bosnia Project agencies and the Home Office.

Since 2000, Dick has managed the Regional Development Team which promotes refugee integration by supporting the development of frontline organisations working with refugees across the UK.

Dick is a former Co-chair of the National Refugee Integration Forum's Subgroup on Community Development, a member of the Standards Steering Group of the National Occupation Standards for Legal Advice Project, and recently contributed to the development of the Mainstreaming Diversity in ChangeUp strategy.

integration

Morning

Workshops

All workshops were expected to address:

Under the duty of the RRAA public bodies when carrying out their functions must aim to:

- Eliminate unlawful racial discrimination
- Promote equality of opportunity; and
- Promote good relations between people of different racial groups

- 1) Are there examples of this in practice?
- 2) Are there examples of barriers to best practice?
- 3) Are there any ideas of how to make this a reality?

1. Working Together in Partnership

'How can refugee/asylum led organisations, African, African Caribbean and Asian communities' work collectively to ensure policy development issues recognise all needs?'

Facilitators: Kwaku Ampomah (Leicester City Museums- ERAAS Project); Mike Medas (African Caribbean Development Agency) and Vinod Kotecha (Federation of Indian Organisations)

Some good examples were given on self-help and voluntary community groups helping one another, for example Somalis in Derby helping Nottingham, and Leicester Somalis helping others. Failed asylum seekers depend on self-help. Refugees Community Organisations are not represented on decision-making and funding forums. The Leicester Somali community is further ahead with this. There could be more 'reaching out' from mainstream and statutory organisations for new arrivals. Established Black and Minority Ethnic organisations' information is not as good as it should/could be. One negative effect of media scare stories about asylum seekers is that 'our own Black and Minority Ethnic Communities' are being drawn in by this and can display antagonism towards new arrivals as a result. In Derby, Leicester and Nottingham,

Black and Minority Ethnic umbrella organisations are able to make links. There are some examples of this happening but not enough. Most funding now goes through partnerships but most Refugee Community Organisations do not have enough 'clout' to influence funders. More information needs to be shared. The regional Black and Minority Ethnic body and local umbrella bodies should be engaged.

2. Building Stronger & Safer Communities

Facilitators: Manny Barot (Leicestershire Constabulary), Sue Jobbins (Northamptonshire County Council), Ron Frater (Northamptonshire Constabulary), Len Jackson & Anita Saigal (Independent Police Complaints Commission)

There is a need for collective responsibilities of communities to alleviate fear of 'difference'. We need to engage with those people who matter, like those who have found our services hard to access. The lack of welcome for new arrivals by established communities is based on prejudice. Racism is a real barrier to promoting good race relations. There is a need to be proactive and actions need to be based on solid research – the facts. There is a lack of investment in these issues and more funding is needed.

3. Social Integration ‘Welcoming and including new arrivals in local structures’

Facilitators: Celia Jones-Cox (Morton & Northfields Tenants & Residents Association) and Kirti Doshi (Independent)

It is important to ensure retention of new arrivals to locations through the use of local structures. The discussion centred around social inclusion and empowerment, based on the experiences of the Northfields area of Leicester. It is not clear who should take the lead. Local communities should be integral to this process with emphasis placed on children’s involvement. There is a need to build respect within a community. Further building is required on knowledge and understanding between service providers and the communities.

4. Routes into Employment

‘Experience and examples of education/training/employment opportunities’

Facilitators: Ljaja Sterland (NIACE) and Asif Khan (Refugee Employment Project)

Racism should be dealt with as an issue. It should be confronted rather than being treated as a taboo. Larger organisations, for example banks, should be encouraged and held responsible for policies which are not helpful to refugee integration. There is a need for regular training on anti-racism and race equality practice. Support from senior managements would make this possible. Race monitoring should lead to positive actions to address the issues. There are challenges for front line staff in mainstream agencies. There is also a need to include and involve professional organisations such as the Institute of Career Guidance. Public bodies need to represent the new communities and show regard to policies and legislation. Knowledge and experience of new arrivals is not accepted and put to use even when people have overseas qualifications. There is a need to utilise these skills.

5. Refugee Voices

‘How can refugees and asylum seekers be given a voice by public bodies to be included in policy decisions?’

Facilitators: Fredi Chohan (Refugee Housing Association) and Jean-Didier Mualaba (Leicester North West Community Forum)

Good practice examples of Heri Kwetu (Nottingham) and Leicester North West Community Forum’s ‘Good Neighbours’ training was shared. Refugee Community Organisations require funding. They cannot always be sustained by unpaid volunteers. Most Refugee Community Organisations’ funding is short term.

There is an advantage in pooling resources together as Refugee Community Organisations are often chasing the same funding. There are Refugee Community Organisations in formation across the region and for example in Nottingham Heri Kwetu hopes to develop a forum with other Refugee Community Organisations and in Leicester a similar network seem to be slowly emerging.



support

Locality Based-Afternoon Workshops

'Taking and addressing the issues back home'

Are we as a City/County

- 1) using the best methods to ensure services are being delivered in an equitable and consistent manner as is expected within the Public Duty of the RRAA
- 2) are the policies and practices of service providers consistent with the expectation of the Public Duty; and,
- 3) are there any improved collective working arrangements which should/could be explored to remedy identified gaps.

Individuals were asked to explore the above and feed back to the plenary session identified ways of improvements together with an indication as to who would be involved in taking these local actions forward.

DERBYSHIRE

Facilitators: Mo Odifa (Refugee Action) and Deborah Sangster (African Caribbean Citizens Forum)

Current services include: Voluntary Forum, Multi Agency Interpretation Project, Hate crime awareness raising forum and training, Sure Start in Normanton, New Deal Derwent Project, Derby Law Centre, Refugee Housing, Community Initiatives, NIACE Project and Derby 2000 Project.

There are some service gaps such as a need for better channel of communication, requirement of a service to facilitate communication across the sectors, sustainability of projects and funding. Local Strategic Partnerships need to listen to new arrivals who need representation at the table and must consult on new and proposed policies, avoid duplication of services and address the need for women's services. Destitution is a real problem and affects the lives of asylum seekers and refugees in Derby. There is a need for a joined up approach and a sense of leadership. Current neighbourhood infrastructure is unable to handle the pressure on its resources. The statutory sector fails to learn the lessons of experience and not all take their responsibilities under their Public Duties seriously. This causes lack of consistency in

service delivery. There also seem to be a lack of political leadership in the area. One of the problems is the lack of funding for the work that needs to be undertaken. As a result, the voluntary sector tailors its services to the grants available. Different sectors are using different methods with no guarantee that the money is reaching the right places. Financing is not objectively led.

LEICESTERSHIRE

Facilitators: Ken Grainger (Independent) and Manny Akyigyina (Leicester City Council Housing Department)

The attitudes of individuals and organisations should be 'right' to make consultation 'right'. There is a need to establish the truth with a view to action. There is a requirement to use the authority of the Commission for Racial Equality as a monitoring tool and the Audit Commission as an additional monitoring tool. It should be the responsibility of all individuals and agencies to create an action plan to address the Public Duty. This should be done through a locally agreed plan. Local government and the staff in other statutory bodies should be given training on RRAA.

LEICESTER (I)

Facilitators: Pravin Patel (Independent) and Helen Everett (EMCARS)

Services and resources have been developed out of need rather than as part of government and local government strategies. Large organisations such as the Primary Care Trusts, Local Authorities and Learning Skills Councils, with resources and clear responsibilities do not always support (direct long term funding) good practitioners operating at the grass roots level. Many projects have developed as a direct response to the need. However, cuts are being made without realizing the impact; for example, children need the English language support to be able to integrate. Funding decision-makers need to be accountable for their decisions especially where the 'board' has been appointed by the 'great and the good', like the LSC. It is important to ensure that the decision makers understand where the money is most needed, where it is used and what difference it made. Over-arching bodies like Local Strategic Partnerships need to be removed from the process of drawing down funding. CRE ought to have the funds and means to police the RRAA. Funding must arrive directly to local forums so they can get on with the work that needs doing! This would ensure continuity and consistency to neighbourhood level work. Local Area Forums need to have local area plans including clear objectives and priorities so accountability, monitoring, review and evaluation can take place to ensure transparency. It is disappointing that local councillors and MPs seem to have such limited knowledge, experience and confidence about the RRAA.

LEICESTER (II)

Facilitators: Chino Cabon & Tahera Khan (LLREC)

Policies and Practice are not customer focused and there seem to be a communication gap. The government agenda overlooks the public needs. Where this is occurring local authority should remind the central government of duty under RRAA. There are inconsistencies within the local authority for example about translation. This could lead to frustration and poor race relations. Do we do enough by doing it ourselves, or signposting? Existing good practice includes; Media project – Amity Alive Magazine, Multi Agency Forum, Voluntary Sector Forum, Refugee Forum, Refugee & Asylum Seekers Advice Project (RASAP), Orientation Programmes (Red Cross), Refugee Integration (RIDA), and Interpretation Strategy. There is a clear requirement to recognise that the refugees and asylum seekers contribute to the economy. There is a duty to

consult, monitor and publish. The local authority has a consultation policy and monitoring is certainly undertaken within some departments. Training is required for the local authority in relation to the reality and applicability of the Public Duty.

LINCOLNSHIRE/ NOTTINGHAMSHIRE

Facilitators: April Spence (Lincolnshire REC) and Linda Kelly (Nottinghamshire REC)

There was a discussion about the very different issues in Lincolnshire and Nottinghamshire. Lincolnshire is a very large rural area with a relatively small number of Black and Minority Ethnic communities, though this is growing. The Race Equality Council has been in existence for less than 3 years, and there are very few groups dedicated to asylum seekers and refugee communities. Due to the lack of presence of a race equality body until recently, much more work is required in Lincolnshire and at a more basic level to move race equality forward. By contrast, the Racial Equality Council in Nottingham has been in existence for 50 years. Nottingham is much more cosmopolitan and has a larger number of BME communities and communities tend to set up groups themselves. Currently there are approximately 50 informal groups.





Things found to be common in both areas:

Most Officers in public authorities are not aware of duties of RRAA and therefore Race Equality Councils should provide training to public bodies and public bodies should ensure race equality training is budgeted for. Public authorities should ensure that 3rd parties acting on their behalf such as independent contractors which are not subject to the public duty will nevertheless observe equality duties.

Most asylum seekers are destitute and under the current legislation they are not allowed to work. However, asylum seekers and refugees possess many skills which we should make use of. It costs the government to set up schemes, such as purposeful activities, for asylum seekers and it would make much more sense to let them work.

Worryingly, many asylum seekers and refugees do not believe that the RRAA applies to them despite human rights abuses. Some asylum seekers are afraid to complain about racial harassment for fear it would affect their asylum claim. Policy makers should be mindful of people being afraid to make complaints due to fear of repercussions.

It is clear that some public bodies are doing good work but more needs to be done. Myth busting via facts is essential to combat misinformation about asylum seekers and organisations like Racial Equality Councils should speak to policy makers more to influence policies.

Way forward for Nottinghamshire

A framework is already in place in Nottingham.

Refugee Community Organisations to get together to develop Nottingham & Nottinghamshire Refugee forum-action by Heri Kwetu

Highlight the responsibility of public bodies under RRAA - action by Nottingham City Council

Ensure non-public bodies observe equality via procurement/grants – action by Nottingham City Council

Lobbying – action by the Race Equality Council

Way forward for Lincolnshire

Issues in Lincoln need to be dealt with at a more basic level.

Relevant bodies to get together to discuss the issues – REC to initiate (EMCARS to coordinate).

Welcome pack for new arrivals to be developed - action by discussion group.



Financial Information

Funding

Community Chest	received £5,000	
EMCARS	received £2,000	
Refugee Housing Association	received £3,000	£10,000

Outgoing

Venue	£1550.41	
Travel	£ 70.10	
Postage	£ 27.88	
Event Management	£1800.00	
Equipment Hire & Hospitality	£2321.22	
Report production and follow up	£4230.39	£10,000

Delegate Feedback

The following is on a scale of 1 (poor) to 6 (excellent)

	Poor				Excellent	
Athena, Leicester						
Location	0	0	1	7	16	24
Refreshments	1	3	8	8	16	11
Lunch	0	2	8	10	13	13
Meeting rooms	3	8	8	8	7	12
Administration	Poor				Excellent	
Prior to event	0	3	4	12	16	13
On the day	0	1	1	8	16	17
Content	Poor				Excellent	
Speeches and Workshops						
The National Picture – Mike Mahony	6	7	12	9	11	3
The Regional Context – Karen Chauhan	1	1	2	8	17	19
The Race Equality Duty – Dick Williams	0	0	12	11	15	9
Working together in Partnership	0	2	2	2	10	7
Building Stronger & Safer Comm	0	4	5	4	4	7
Social Integration	0	0	2	5	10	6
Routes into Employment	0	0	5	2	9	8
Refugee Voices	0	0	4	5	9	3
Locality based workshops	2	3	2	10	14	4

How I heard about this event:

Derby refugee forum meeting-Derby City Council Education Services-Email from EMCARS RASAP - 19 Colleague - 2 REC-Flyer from TUC - 7 Planning group-Poster-LREC - 2

Would you recommend a future event of this nature to a colleague?

Yes - 48 No - 1

Did you find the day useful?

Yes - 46 No - 1

Was the length of the event?

Too Short - 1 Too Long - 4 Just Right - 38

What could have been done to make the day better?

"Have only one workshop in the afternoon, hold the event over a 2-day period to allow for in-depth discussion on partnership work and strategy for moving forward, clearer objectives (inc in pack), air conditioning, better workshop rooms, improve advertising, venue acoustics a real problem, more statutory sector representatives at an exec level, feedback to delegates via email, arrangements for local parking, timekeeping, a lift for disabled to upper floor, networking opportunities, provide more question and answer time for the guest speakers, some things that were fed back by the facilitators were personal views-not what was discussed in the workshops, everything o.k., workshop very police-focused, more refugee/asylum seekers speakers, refreshments, more balanced debate, not just focusing on attacks of L.A.'s, music-rather than film during the break, thanks to all..."

Delegate List

First Name	Surname	Organisation
Ken	Grainger	
Deborah	Sangster	African Carribean Citizens Forum
Gbemi	Mack	African Heritage Culture & Arts Int. Network
Marie Claude	Kabazo	African Initiative Support
Mohamed	Sheel	Akwaaba Mental Health Shop
Charlotte	Nyandu	Beaumont Leys Women's Group
Zuleikha	Sheikh	Beaumont Leys Women's Group
Kerri	Beech	British Red Cross
Cathy	Stevenson	British Red Cross
Inderjit	Anand	Business 2 Business (UK) Ltd
Sarah	Cromie	Charnwood Borough Council
Kazi	Mashud	Charnwood REC
Albert	Che	Connexions Leicester
Ajay	Khushalbai	Connexions Leicester
Hayley	O'Shea	Connexions Leicester
Nayna	Amlani	Coping with Cancer
Sajio	Shaikh	CWU
Ann	Watts	Derby Refugee Forum
Nassir	Hayat	Derby Afghani Community Association
Kelly Kitenge	Lubangi	Derbyshire Bondero Congolese Association
Shaun	Skelton	Derbyshire Constabulary
Jane	Bagworth	Eastern Leicester PCT
Sue	Read	Eastern Leicester PCT
Ross	Jones	EMASS
Yasin	Patel	Fern Training & Development
A	Gafar	Highfield Unity and Diversity Young People Project
Jay	Patel	Highfield Unity and Diversity Young People Project
Priya	Thamotheram	Highfields Community Association
Amerdeep	Somal	Independent Police Complaints Commission
Ann	Hewitt	Independent Police Complaints Commission
Melanie	Kiffin	Independent Police Complaints Commission
Lynne	Sanders	Independent Police Complaints Commission
Linda	Rawlings	Jobcentre Plus
Dreda	Wisniewska	Leicestershire & Rutland Probation Area
Manny	Akyigyina	Leicester City Council
James	Coombs	Leicester City Council
Lee	Harrison	Leicester City Council
Irene	Kszyk	Leicester City Council
Gopal	Sall	Leicester City Council
Laura	Thompson	Leicester City Council
Bryan	White	Leicester City Council
Paul	Winstone	Leicester City Council
Sarfraz	Ahmed	Leicester College
Stephen	Burke	Leicester College
Vinod	Chudasama	Leicester College
Sue	Hobson	Leicester Education Special Needs Service - EYST
Sue	Grogan	Leicestershire & Leicester City Learning Partnership

Delegate List (continued)

First Name	Surname	Organisation
Ranvir	Dosanjh	Leicestershire Constabulary
Kelly	Jussab	Leicestershire Constabulary
Nita	Ravat	Leicestershire Constabulary
Elaine	Suart	Leicestershire Constabulary
Abdi	Ibrhaim	LCC Ed
K	Obhi	LCC Ed
Amarjit	Singh	Leicestershire County Council
Pam	Coratannai	Leicestershire Fire & Rescue Services
Harshad	Saujani	Leicestershire Fire & Rescue Services
Melisa	Campbell	Leicestershire, Northamptonshire & Rutland Strategic Health Authority
Marlene	Suart MBE	LeicestHerDay Trust
Daniel	Draper	Liberian Association
April	Spence	Lincs REC
Philippa	Clarke	MATV
Shabnam	Naz	MATV
Nilesh		MATV
Dawn	Wright	National Association of Hospital & Community Friends
Doris	Beers	Next Steps Derbyshire
Sharon	Luke	Northamptonshire Police Authority
Amdani	Juma	Nottingham & Notts Refugee Forum
Rosanna	Ottewell	Nottingham City Council
Terry	Humphries	Nottingham City Council LEA
Ron	Mathews	Nottingham Community Housing Association
Sallyann	Robinson	Nottingham Community Housing Association
Lynda	Kelly	Nottingham REC
Bea	Tobolewska	Notts City LEA
Abdul Razak	Osman	Overseas Qualification Development Service
Harmesh	Lakanpaul	Peterborough REC
Pravin	Patel	Pravin Consultancy Ltd
Shazeeb	Aziz	Public & Commercial Services Union
Julian	Minnis	RASAP
Mo	Odifa	Refugee Action
Gail	Pringle	Refugee Action
Natasha	Stevenson	Refugee Action
Nicola	Bassindale	Refugee Housing Association
Gill	Buttery	Refugee Housing Association
Yassir	Mahmood	Refugee Housing Association
Mo	Ibrahim	Refugee Integration & Development Agency
Kamal	Mohammed Amier	Somali Education & Welfare Foundation
Alice	Josep-Harney	VAL/Soft Touch
Amina	Hashi	Waberi Womens Group
Anab	Ibrahim	Waberi Womens Group
Helen	Moore	Welcome Project

The Race Equality Duties

In 2000, the government gave, under the amended Race Relations (Amendment) Act, most public authorities in Britain a new 3 part statutory duty to promote race equality (referred to as the General Duty). This means that in carrying out all functions, public authorities must have 'due regard' to how to:

- 1) eliminate unlawful racial discrimination;
- 2) promote equal opportunities; and
- 3) promote good relations between people from different racial groups.

The aim of the duty is to make the promotion of racial equality central to the work of the listed public authorities. The general duty also expects public authorities to take the lead in promoting equality of opportunity and good race relations, and preventing unlawful discrimination.

In practice, this means that listed public authorities must take account of racial equality in the day to day work of policy-making, service delivery, employment practice and other functions.

To do this, public authorities should take two factors into account.

1) **The weight** which they attach to racial equality **should be in proportion to its relevance to a particular function**. In a local authority, for instance, attainment levels in schools are going to be much more relevant than, say, highway maintenance.

2) Since public authorities must meet all three parts of the duty — eliminating unlawful discrimination, and promoting equal opportunities and good race relations — they must **make sure they know how all their policies and services affect race equality**. For example, a new recruitment policy may help to promote equal opportunities, but if it is badly introduced, it may actually damage race relations.

The Specific Duties

The government has also given certain public authorities (see Appendix 2 of the CRE Code of Practice) specific duties, including a duty to produce and publish a race equality scheme, to help them to meet the general duty. These duties came into effect on 1 June 2002.

Race Equality Scheme

The Race Equality Scheme – itself one of the specific duties – essentially packages the other duties into a coherent strategy and action plan. It should explain how the public authority will meet both their general and specific duties. It is a public document and public authorities will be answerable to the public for delivering the programme set out in the scheme.

Although Race Equality Schemes are a new development in Britain, many public authorities already have equality strategies and action plans. They should build on these to develop their Race Equality Scheme. Public authorities should not see the duty as a burden as promoting race equality will improve public services for everyone. Public authorities can meet the duties in their own way and avoid unnecessary work and expense by using their existing arrangements and administrative systems.

Under the Race Equality Scheme, public authorities will have to:

- identify the functions and policies (including proposed policies) it regards as being relevant to meeting the race equality duty; and
- make arrangements to
 - assess proposed policies for any effects they might have on the promotion of race equality;
 - consult people who are likely to be affected by those policies;
 - monitor policies for any adverse effects they might have on people from different racial groups;
 - ensure public access to information and services;
 - publish the results of the assessments, consultations and monitoring, and;
 - train staff in meeting these duties.

The arrangements that make up a race equality scheme are not ends in themselves, but a means of meeting the three parts of the race equality duty.

What Should A Race Equality Scheme Include?

The scheme should be able to answer the following questions:

- How will the authority decide which of its services and policies are relevant to the general duty?
- How will the authority assess and monitor its services and policies, including services and policies it is proposing to introduce, to make sure that they are not affecting some groups negatively, and that all communities are satisfied with them?
- How will the authority deal with evidence that its services and policies are not in line with the general duty?
- How will the authority consult the general public and, particularly, involve ethnic minority communities at all stages?
- How will the authority deal with complaints about the way it is meeting the duties, or other complaints about racial equality?
- How will the authority publish the results of its assessments, consultations and monitoring?
- How will the authority make sure that everyone, whatever their ethnic background, has access to information about the authority and its services?
- How will the authority make sure that its staff understand their responsibilities under the duty?
- How often will the authority review the scheme?

Specific Duties On Employment

In addition to the above specific duties, all public authorities bound by the employment duty (see Appendix 3 of the Code of Practice) must:

- monitor, by ethnic group, their existing staff, and applicants for jobs, promotion and training
- publish the results every year

Authorities with at least 150 full-time staff must also monitor:

- grievances
- disciplinary action
- performance appraisals
- training
- dismissals

Specific Duties For Schools And Fe And He Institutions

Schools must:

- prepare and publish a race equality policy
- monitor and assess the impact of their policies, including their race equality policy, on pupils, staff and parents of different ethnic groups; the emphasis here is on pupils' achievements

Higher and further education institutions must:

- prepare a race equality policy
- assess the impact of their policies, including their race equality policy, on students and staff of different ethnic groups
- arrange to publish their policy, and the results of assessments and monitoring

Note: The above specific duties do not apply to schools in Scotland.

What Is A Race Equality Impact Assessment?

A race equality impact assessment is a way of systematically and thoroughly assessing, and consulting on, the effects that a proposed policy is likely to have on people, depending on their racial group. The assessment extends to monitoring the actual effects of the policy, once it is put into practice, possibly as a test run, and being alert to any concerns about the way it is (or is not) working. The main purpose of a race equality impact assessment is to pre-empt the possibility that your proposed policy could affect some racial groups unfavourably.

A race equality impact assessment is made up of two stages:

Stage 1 involves screening policies or legislative proposals to see if they are relevant to race equality. All policies should be screened.

Stage 2 involves fully assessing policies identified as being relevant to make sure they do not have adverse effects on any racial groups.

Policies may be defined as the sets of principles or criteria an organisation develops to help carry out its functions or role, and to meet its duties.

General Glossary of Terms and Definitions Used in this Field

Adjudicator Arbiter at first level of appeal structure for appeals against refusal of asylum, refusals against variation on leave, appeals where a breach of Human Rights Act 1998 Act is alleged; appeal against refusal of entry clearance. There are appeals centres throughout the UK.

Appropriate adult An adult person, usually parent or relative, but where necessary another adult such as social worker or member of the Refugee Council's Unaccompanied Minor Asylum Seeker Panel, who supports a child or person with learning difficulties at official interviews. This person's role should not be confused with that of a legal adviser.

ARC Application registration card. The credit card sized card given to asylum seekers giving biographical details, photo and fingerprints.

Asylum One of the words used to mean refugee in accordance with the 1951 UN Convention on Refugees

Asylum appellant A person whose asylum claim has been refused but has an appeal pending.

Asylum seeker A person who has applied for asylum including those who may be entitled to protection under Article 3 of the European Convention on Human Rights.

Bail Release from detention. A person in detention is usually able to apply for bail either to the Chief Immigration Officer (CIO bail) or to an Adjudicator. Bail can be made subject to reporting and residence restrictions.

Ceasing to be an asylum seeker A person who had claimed asylum but has been refused and has no appeals pending.

Controlled Legal Representation Means and merits tested free legal advice and representation granted by legal advisors who hold a contract with the Legal Services Commission.

Convention grounds A refugee has to have a well founded fear of persecution for one of the five grounds set out in the Refugee Convention; race, religion, nationality, membership of a particular social group or political opinion.

Deportation Order An order signed by the Secretary of State that a person be deported and prohibited from re-entering the UK. Since the coming into force of the Immigration and Asylum Act 1999 such Orders have been replaced with removal orders save where an application was made under the Regularisation Scheme for Overstayers prior to October 2000 and also in the case of criminals.

Designated Country A country designated by the Secretary of State as safe for asylum seekers to be returned to without their asylum application having been considered in the UK, if s/he travelled through that country on hi/her way to the UK.

Discretionary leave A short term leave granted where neither humanitarian leave, or refugee status or leave within

the Immigration Rules is granted. One of the replacements of exceptional leave.

Dispersal Since the coming into force of the Immigration and Asylum Act 1999, applicants for asylum who need financial support and accommodation have to apply to the National Asylum Support Service and can be sent to places outside London.

Dublin Convention An agreement between all EU member states to delineate responsibility for determining asylum applications.

Enforcement action Action that is taken by the IND to enforce removal from the United Kingdom. May be preceded by detention.

Entry Clearance Prior authority to enter the UK. Sometimes in the form of a visa. Functions as a leave to enter and includes details of any conditions and dates for which it is valid.

European Convention on Human Rights 1951 International instrument of the Council of Europe. The ECHR was incorporated into UK law by the Human Rights Act 1998.

European Union Previously the European Economic Community (EEC)/European Community (EC). Countries are Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, The Netherlands, Portugal, Spain, Sweden, UK. Nationals of these countries and their family dependants have freedom of movement within the territory of the member states. From 01.05.2004 Latvia, Estonia, Cyprus, Malta, Lithuania, Czech Republic, Slovakia, Slovenia, Hungary, Poland joined EU. Citizens of Malta and Cyprus will have full freedom of movement rights throughout the EU. The other countries will be subject to transitional provisions, but will have full freedom of movement within the UK.

European Economic Area The EU member states plus Iceland, Liechtenstein and Norway. National of the EEA have freedom of movement rights within the territory of all these states.

Exceptional Leave To Enter/Remain (ELTE or ELTR) Permission to remain or enter the UK formerly given by the port or caseworker outside the immigration rules. Now replaced by humanitarian or discretionary leave outside the rules.

Human Rights Act 1998 Came into force on 2 October 2000 when the ECHR was incorporated into United Kingdom law. Enables an appeal to be brought on the grounds that removal would be a fundamental breach of an individual's human rights.

Humanitarian leave Leave granted after a successful application that removal would breach the United Kingdom's obligations under the Human Rights Act 1998 eg under Article 3 or 8.

Geneva Convention The 1951 Convention relating to the Status of Refugees.

Illegal entrant A person who is physically in the UK who has entered in breach of immigration laws, eg a visitor who has

General Glossary of Terms and Definitions Used in this Field (continued)

actually came intending to work, as well as someone who entered clandestinely, eg in the back of a lorry.

'Illegal immigrant' A term used by police and the tabloid press. Not a correct term in immigration law.

Immigration and Nationality Directorate (IND) The branch of the Home Office that deals with immigration, asylum and nationality issues.

Immigration Rules Rules made by the Secretary of State under powers given to him by Statute to control entry and stay in the UK of non-British nationals.

Immigration Service Part of the Immigration and Nationality Directorate of the Home Office which deals with entry at ports and enforcement ie removal.

In-country applicant A person who applies for a change in immigration status whilst in the UK whether lawfully or unlawfully present. Also used to identify an asylum applicant who has applied after having already entered the UK. Such asylum applicants are, save for a few exceptions, not eligible for benefits other than that provided under NASS National Assistance.

Indefinite leave to remain/enter (ILR or ILE) The grant of indefinite leave to remain following variation of stay in the UK in compliance with various immigration rules or the grant of indefinite leave to enter on arrival in the UK. No time limits attached to stay in the UK but remain subject to immigration control. Two years absence will usually result in removal of status but it can also be lost after shorter periods anyway. Can be revoked but on limited grounds. Also referred as to settled status, permanent residence.

Judicial review Administrative Court proceedings to challenge administrative decisions of the Home Office.

Lawfully resident A person who has current permission to remain in the UK or is in the UK awaiting the outcome of an appeal.

Leave to enter The permission given at a port to a person to enter the UK. It will normally be limited as to time and may have a prohibition as to working or receiving public funds.

Leave to remain The permission given to someone to extend an existing permission to stay in the UK. It may be limited as to time and may have a prohibition on working or claiming public funds.

Limited Leave Permission to remain in the UK that is time-limited and sometimes with other conditions imposed, eg prohibition on working without permission.

LSC Legal Services Commission responsible for administering public funding for asylum and immigration work by issuing contracts to solicitors and not for profit organisations.

NASS National Asylum Support System established under the Immigration and Asylum Act 1999. Responsible for destitute asylum seekers who applied for asylum and/or became destitute after conclusion of all appeal procedures. Provides financial support and accommodation.

Non-compliance refusal A refusal of asylum on the grounds that the asylum seeker has failed to comply with a direction made

by the Home Office. If served with a refusal on non-compliance grounds s/he will have a right of appeal.

Non-state agent An agent of persecution who is not connected with the state eg a member of the local populace.

Overstayer A person who was lawfully in the UK whose permission has now expired and is in the UK in breach of immigration rules and liable to removal.

Permanent residence Used to signify settled status. See indefinite leave to remain/enter.

Port The point of entry to the UK, eg Heathrow, Dover, Waterloo.

Port applicant An asylum applicant who applied for asylum at the Port on entry.

Public funds Income support, job seekers allowance, family credit, child benefit, council tax benefit, emergency housing (ie housing provided under the homelessness provisions of the Housing Acts), housing benefit, Disability Living Allowance, Attendance Allowance, Invalid Care Allowance, Severe Disablement Allowance, Disability Working Allowance. It does not include eg student grants, NHS treatment.

Refugee Status Recognition by the Home Office of an asylum seeker as a refugee under the 1951 Convention leads to the grant of indefinite leave to remain/enter. Bestows various rights eg family reunion, issue of travel documents.

Removal The procedure by which a person is sent away from the UK. No appeal from within the UK save where asylum has been claimed and refused or where it is alleged that removal would breach the Human Rights Act 1998.

Safe third country Asylum seekers who have links (for example, through family or previous stay) with a country that is considered safe (in that it will not return the asylum seeker to his or her home country without considering the claim) can be sent to the safe country without the UK considering the merits of the asylum claim.

Statutory review A judicial process whereby a High Court Judge will decide on the papers whether to overturn a decision of the Immigration Appeal Tribunal to grant or refuse permission to appeal to the Tribunal from an adjudicator.

Subject to immigration control Any person who needs leave to enter or remain in the UK. The leave may be conditional on prohibiting recourse to public funds or have been granted leave as a result of an undertaking in connection with maintenance.

Third country A country which an asylum seeker has travelled through in order to get to the UK which is not the asylum seeker's country of origin, eg a Turkish asylum seeker travelling by rail to Waterloo may have come through the third country of France.

UNCHR United Nations High Commissioner for Refugees.

Unlawfully resident/ A person who is in the UK either after his/her leave to remain has expired and who is now awaiting the outcome of an appeal, or who has entered the UK illegally.

Websites

Amnesty International www.amnesty.org
Asylum Support.info www.asylum support. info
British Institute of Human Rights www.bihhr.org
Centre for European Migration and Ethnic Studies www.cemes.org
Centre for Immigration Studies www.cis.org
Centre on Migration Policy and Society (COMPAS) www.compas.ox.ac.uk
Commission for Racial Equality www.cre.gov.uk
Electronic Immigration Network www.ein.org.uk
European Convention on Human Rights www.echr.info
European Council on Refugees and Exiles www.ecre.org
European Court on Human Rights www.echr.coe.int
East Midlands Consortium for Asylum and Refugee Support www.lg-em.gov.uk
Forced Migration Online www.forcedmigration.org
Home Office Immigration and Nationality Directorate www.ind.homeoffice.gov.uk
Home Office Research Development Statistics www.homeoffice.gov.uk/rds
Human Rights Watch www.hrw.org
Immigration Advisory Service www.iasuk.org
Immigration Appellate Authority www.iaa.gov.uk
Independent Police Complaints Commission www.ipcc.gov.uk
Immigration Watch www.immigrationwatch.info
Information Centre about Asylum and Refugees www.icar.org
Institute for the Study of International Migration www.georgetown.edu/sfs/programs.isim
International Organisation for Migration www.iom.int
Joint Committee on Human Rights www.jchr.info
Joint Council for the Welfare of Immigrants www.jcwi.org.uk
Legal Services Commission www.legalservices.gov.uk
Migration Dialogue www.migration.ucdavis.edu/
Migration Information Source www.migrationinformation.org
Migration Research Unit (UCL) www.geog.ucl.ac.uk/mru
Refugee Action www.refugee-action.org.uk
Refugee Council www.refugeecouncil.org.uk
Refugee Housing Association www.refugeehousing.org.uk
Refugee Net www.refugeenet.org
Refugee Studies Centre www.rsc.ox.ac.uk
Student Action for Refugees www.star-network.org.uk

Contact Details And Websites

Commission for Race Equality East Midlands www.cre.gov.uk

Jay Vyas, c/o Government Office for East Midlands, The Belgrave Centre, Stanley Place, Talbot Street, Nottingham, NG1 5GG Tel: 0115 971 2759

Independent Police Complaints Commission www.ipcc.gov.uk

90 High Holborn, London, WC1V 6BH. Tel: 08453 002 002 (local rate)

East Midlands Consortium for Asylum and Refugee Support (EMCARS) www.lg-em.gov.uk

The Belvoir Suite, Nottingham Road, Melton Mowbray, Leicestershire, LE13 0UL

Tel: 01664 502 555

Reporting racist incidents in Leicester through LLREC's Racial Harassment Action Group Monitoring Team (RHAG) Tel: 0116 299 9810

Undertaking work with refugees based in Leicester through the Refugee & Asylum Seekers Advice Team (RASAP) Tel: 0116 299 9807 / 0116 299 9808

For Asylum Advice – Refugee Action www.refugee-action.org.uk

Derby/ Lincoln/Nottingham

Keith Grayson, Manager

Asylum Advice

3rd Floor

Albion House

5-13 Canal Street

Nottingham NG1 7EG

Tel: 0115 941 5957

Leicester/Northamptonshire

Amanda Soraghan, Manager

Chancery House

7 Millstone Lane

Leicester

LE1 5JN

Tel: 0116 261 6200

For refugee tenancy support- Refugee Housing Association www.refugeehousing.org.uk

Derby Area Manager – Herjinder Rai

Navigation House, Unit 1

Derwent Park,

213 London Road

Derby, DE1 2SX

Tel: 01332 334520

E-mail: herjinder.raai@mht.co.uk

Leicester Area Manager – Nicola Bassindale

Active Community Centre,

2nd Floor,

9 Newarke Street,

Leicester, LE1 5SN

Tel: 0116 257 4000

E-mail: nicola.bassindale@mht.co.uk

Nottingham Area Manager-Parmdeep Chana

Raleigh House

68-84 Alfreton Road,

Nottingham, NG7 3NN

Tel: 0115 988 7200

E-mail: parmdeep.chana@mht.co.uk

