

□ ROSEMARY SALES

Middlesex University

The deserving and the undeserving? Refugees, asylum seekers and welfare in Britain

Abstract

This article focuses on recent policy in relation to asylum which has created a new social category of asylum seeker, increasingly portrayed as 'undeserving' in contrast to the 'deserving' refugee. Asylum policy in Britain is preoccupied with control, with no national system for the settlement of refugees. The new social support system for asylum seekers, particularly the voucher system and compulsory dispersal, serve to isolate them from society and promote intense social exclusion. Policies to promote the social inclusion of recognized refugees are limited, uneven and dependent on voluntary initiative. They are also harmed by the punitive system of social support for asylum seekers. Acute recent labour shortages, which have forced employers to recruit overseas, have opened up the debate on immigration, and present the possibility of developing a more progressive agenda based on a commitment to human rights.

Key words: community, exclusion, immigration, racism, settlement

Introduction

Asylum achieved a high political profile in Britain during the late 1990s, and the legislation introduced in this period tied it increasingly to the issue of welfare provision. The ostensible reasons for this interest lie in the increased flows of asylum seekers and delays in processing cases which have increased the cost of supporting asylum claimants.¹ The terms of the mainstream political debate have been predicated on the notion that the majority of asylum seekers are 'bogus' and therefore undeserving of entry to Britain and of social support. The reduction of the proportion of asylum seekers gaining

recognition as Convention refugees is cited as evidence in the mass media (Schuster and Solomos, 1999: 64). These figures, however, ignore those who win on appeal or are granted some other status that gives them leave to remain.²

Recent policy changes have constructed asylum as a political issue. Controls on the legal entry of immigrants to Europe through EU and other intergovernmental arrangements (the so-called 'fortress Europe') have meant that asylum is often the only means of gaining access to Europe. Britain's policy on immigration and asylum has followed, and in many ways extended, this restrictive agenda. Changes to the system of social support have made asylum seekers more visible as a group. The introduction of 'vouchers', which asylum seekers must use to make purchases, combined with compulsory dispersal – often to areas without existing communities – have separated asylum seekers from mainstream society. These changes have also underlined the dependence of asylum seekers on welfare benefits, fuelling public perceptions of them as a 'burden'.

Welfare provision has thus shifted to the centre of current debate around asylum. In the White Paper *Fairer, Faster and Firmer* (Home Office, 1998), which preceded the Immigration and Asylum Act 1999, the government outlined its belief that welfare benefits act as an incentive to economic migrants to use the asylum route to enter Britain (Finch, 2001: 17). Britain's immigration policy has historically been preoccupied with control (Shutter, 1997). In spite of Britain's multicultural population, migration has been seen as a concession to be granted reluctantly rather than a positive benefit to the economy or society. In the same way, asylum policy has been seen primarily in terms of controlling entry rather than the settlement of those allowed to remain.

Blair's Labour administration has prided itself on its progressive policies on race equality, while pursuing restrictive policies on asylum. This distinction is embodied in the Race Relations (Amendment Act) 2000. It extended anti-discrimination legislation into the public sector but excluded those who make decisions on immigration cases, allowing them to make blanket decisions on the basis of country of origin, a clause described by one senior journalist as 'the bluntest piece of state-sponsored ethnic discrimination in 35 years' (Hugo Young, *Guardian*, 24 April 2001). The falseness of this distinction is seen daily in racist attacks on asylum seekers and more recently in racist violence in the North of England. A report to the UN Human

Rights Committee from 11 British organizations blamed politicians for 'encouraging racist hostility in their public attitudes towards asylum seekers' (reported in the *Observer*, 1 July 2001).

The Conservative Party's attempts to use the 'asylum card' in the 2001 election failed to secure increased votes. This may have reflected voters' preoccupation with 'bread and butter' issues, but a poll published in the liberal newspaper the *Guardian* before the election (23 May 2001) suggested that public hostility towards asylum and immigration was lower than accepted 'common sense' had assumed. The racist British National Party (BNP) did, however, gain a significant minority of votes in a number of seats which they targeted in the Northwest of England, a result that was likely to have been due in part to hysteria over asylum seekers.

The restrictions on social support for asylum seekers implemented during the 1990s have coincided with a restructuring of welfare that has made it easier to exclude those, like asylum seekers, deemed 'undeserving'. Below, I discuss briefly the main features of this welfare restructuring and the relationship between welfare and immigration in Britain. The following sections examine recent legislation on immigration and asylum and its implications for social provision for refugees and asylum seekers. These changes have opened up major gaps in services, into which voluntary and community organizations are being drawn. The final section discusses future policy directions in relation to refugees and asylum.

Britain's welfare regime: from universalism to social inclusion

The institutions of Britain's welfare state were consolidated in the aftermath of the Second World War. This welfare regime, which emphasized universalist principles of collective responsibility for services and mildly progressive taxation, was underpinned by the extended postwar recovery and a broad political consensus on the role of welfare spending in the national economy. In practice, Britain's welfare state has always had elements of all three of Esping-Andersen's (1990) ideal-type welfare regimes. The benefit system was based largely on work-related social insurance, combined with elements of both means tested and universal benefits. A core component, however, was free universal access to health and education.

The social democratic consensus faltered during the 1960s with the decline of the long boom and the consequent growth in social spending as a proportion of national income. The economic crisis opened up new spaces for critiques from the right, and the Thatcher government elected in 1979 mounted a sustained attack on collective welfare. While the principle of free medical treatment and education has not been directly challenged, it has been eroded through the introduction of charges and market criteria (the 'internal market') into these services.

Before its return to office in 1997, the Labour Party's thinking had undergone a paradigm shift from equality to 'social inclusion' (Lister, 1998: 215). Traditional Labour goals of social justice and collective responsibility for public services were abandoned in favour of individual achievement. The 'Third Way' has retained many elements of neoliberalism. The role of the private sector in the provision of public services has been deepened, together with an extension of performance targets. These processes reduce the incentive of service providers to cater for those deemed expensive or unlikely to meet targets. General Practitioners (GPs), for example, may remove patients from their lists without explanation, a practice used to exclude 'expensive' patients such as asylum seekers and the elderly. School examination targets discourage schools from enrolling those with special language needs who are unlikely to boost a school's performance.

New Labour has consolidated the shift in the concept of citizenship begun under the Tories, from one based on rights to one based on duty. Its preoccupation with paid employment as the path to social inclusion devalues other forms of work, including caring and voluntary work. Policies aimed at combating social exclusion through work have led to new boundaries between the 'deserving' and those deemed 'undeserving' who are the targets for heavy measures of control (MacGregor, 1999: 110). Asylum seekers have been cast as the 'undeserving', while denied the means (employment) by which to join the 'deserving'.

Welfare provision for non-citizens

The British welfare state was essentially national, with the benefits of social citizenship expected to be confined to national citizens. The

racialized and gendered nature of social citizenship was illustrated in the often quoted phrase from the Beveridge Report, 'housewives as Mothers have vital work to do in ensuring the adequate continuance of the British Race and British ideals in the world' (Beveridge, 1942, cited in Williams, 1987: 9). The assumption of female dependence on the male wage, the 'male breadwinner model', was institutionalized as women's access to social rights was largely channelled through men.

Migration helped to sustain the hegemony of this model because, by meeting some of the labour needs of postwar economies, immigrants filled a gap in the labour market that indigenous women might otherwise have been expected to fill (Kofman et al., 2000). As British women have entered the paid labour force, particularly in professional occupations, migrant women have been drawn into domestic work to meet demands for cleaning, childcare and care of the elderly (Anderson and Phizacklea, 1997).

While migrant workers, especially women, have been disproportionately concentrated in welfare, both in public services and within the domestic sphere, their access to welfare has been uneven. Social citizenship, unlike political and civil citizenship, defies 'clear cut institutionalised criteria' (Faist, 1995: 178), and the boundaries between citizens and non-citizens tend to be blurred. All British residents, whatever their immigration status, are entitled to basic health care, and for children schooling is compulsory. Non-citizens gain access to other social rights through their formal immigration status or through work. As rights to benefits and pensions have become increasingly tied to earnings, this potentially offers greater rights to migrant workers (Faist, 1995: 178). Many migrants, however, tend to have low entitlement because they spend less time in the formal labour force. This is particularly true of refugees and asylum seekers. The conditions of entry for family reunion and the rule of 'no recourse to public funds' prevent spouses (predominantly women) gaining independent access to income through benefits in the early years of migration. Other welfare provisions are tied more firmly to citizenship status. Local authority housing, for example, is only available to citizens and to limited groups of 'persons from abroad', including refugees (for details, see Lukes, 2001). The entitlement of work permit holders to child benefit and a range of other non-work-related benefits was removed in 1996, and the Immigration and Asylum Act 1999 excluded all 'persons subject to immigration control'³ from non-contributory benefits. The Act was concerned

mainly with asylum seekers, and its implications for their social rights are discussed below.

These changes have intensified differences among migrants, with a widening gap between the rights of the most precarious, including asylum seekers, compared to long-term secure residents. Access to rights, however, is dependent not merely on formal status, but on social divisions based on gender, class, ethnicity and so on, as well as the availability of community networks (Kofman et al., 2000). Where formal rights exist, migrants' access to services may be restricted by discriminatory practices and by institutional structures. Unfamiliarity with the language and the organization of welfare may also mean that migrants need support in gaining access to appropriate services. The use of GPs as gatekeepers to health care can cause misunderstanding to those familiar with a system in which patients gain direct access to specialists.⁴ These problems have forced migrants to provide for their own welfare needs through family and wider social networks, and through voluntary and community organizations. At the same time, some migrant campaigns have succeeded in securing more appropriate services – particularly at a local level – through, for example, the provision of interpretation and mediation services.

The restructuring of welfare, combined with increasingly stringent application of immigration controls, has served to exclude migrants from access to services. Service providers have been drawn into scrutinizing immigration status (Owers, 1994), a scrutiny that often goes beyond legal requirements. Employers frequently ask for passports as proof of entitlement to work, although a national insurance number is sufficient to prove eligibility (Coker, 2001: 41). The British Medical Association's ethics committee commented in 1997: 'all asylum seekers have the right to be registered with an NHS doctor and therefore there is no obligation or expectation for doctors to check the immigration status of people registering to join their lists' (cited in Coker, 2001: 38). An estimate that only 74 percent of newly arrived refugees in London were registered with a GP (Newham Refugee Centre, 1996: 5) suggests that these checks deter access.

Refugees and asylum seekers: the policy framework

In spite of its long tradition of receiving asylum seekers, Britain has resisted setting up a permanent settlement programme, preferring to

see refugee flows as temporary. Programmes have been established for specific groups, most notably the Vietnamese during the early 1980s and the Chileans during the 1970s. The smaller Bosnian project established in 1992 was modelled on this experience (Bralo, 2000), as was the Kosovo project that followed (Bloch, 1999a). These programmes have been ad hoc and relied on local initiatives involving the voluntary sector (Duke, 1996; Joly, 1996). Following the Immigration and Asylum Act 1999, which made no mention of the settlement needs of recognized refugees, the Home Office published a consultative document on the integration of recognized refugees. This proposed making 'the best use of resources available' (Home Office, 1999: 1) through better coordination, rather than offering new resources, and left initiatives to proposed new partnerships between local authorities, voluntary agencies and refugee community organizations (RCOs) in the new cluster areas.

The majority of asylum seekers entering Britain from the 1990s have been non-quota or 'spontaneous' refugees. This means that they travel to Britain independently (often using 'illegal' channels) rather than as part of a refugee programme, and must make individual claims for asylum. They may receive assistance with their immediate needs from specialist organizations such as the Refugee Arrivals Project (RAP) and the Refugee Council, but depend heavily on community networks. Asylum seekers without means of support are now catered for by the National Asylum Support System (NASS). Once a decision on their claim is made, they must leave this system and rely on mainstream services and voluntary and community support.

Until the 1990s, Britain had no specific asylum legislation. The Geneva Convention was ratified in 1954 but no legislation was passed to anchor it in domestic law (Schuster and Solomos, 1999: 57). The first act dealing specifically with asylum was, like other immigration legislation, concerned primarily with controlling entry. The Asylum and Immigration Appeals Act 1993 and the Asylum and Immigration Act 1996, passed under the last Conservative government, also restricted the social rights of asylum seekers. The 1996 Act withdrew welfare benefits for in-country asylum applicants and those appealing a decision. A court judgement that, under the National Assistance Act 1948, local authorities were responsible for supporting those deemed 'destitute', including asylum seekers, made Social Services Departments agents for the provision of this support. Adults were not

allowed to receive cash, but were housed and given subsistence in kind and in the form of 'vouchers'.

The majority of asylum seekers entering Britain during the 1990s were based in London (Carey-Wood et al., 1995), largely because of the support networks available within the community. The 1996 Act and the subsequent court decision shifted the responsibility for supporting asylum seekers to local authorities, and the cost from mainstream benefits to local authority budgets. The costs were not recouped in full and were concentrated in a small number of boroughs, most of which had high levels of deprivation (Audit Commission, 2000b).

As the voucher system raised the profile of asylum seekers, pressure on local authorities for resources and on the already depleted housing stock increased. By 1998, many London boroughs were dispersing asylum seekers outside London to areas where empty housing was available.

The Labour government's response was their White Paper, *Fairer, Faster and Firmer* (Home Office, 1998), whose stated aims were the speeding up of the processing of asylum claims (the system for which was then in crisis), controlling entry and reducing incentives for 'economic migration' (Audit Commission, 2000a: 9). The pressure on local authorities was to be reduced by 'burden sharing' through a national support structure.

The Immigration and Asylum Act 1999 (which came into effect in April 2000) introduced some limited new rights, mainly in relation to appeals (Chatwin, 2001: 7), but gave a series of new powers to the Home Secretary. It extended the powers of search and arrest, and detention of asylum seekers.⁵ The most controversial clauses concerned the extension of the voucher scheme to all asylum seekers and compulsory dispersal. The new provisions ended local authorities' direct role in supporting asylum seekers, replacing them with the new centralized agency NASS. In practice, NASS subcontracts its work to local authorities and voluntary agencies, including refugee community groups.

This legislation has created a new social category of 'asylum seeker', separating them both in policy and in popular discourse from recognized refugees. NASS operates on the presumption that the majority of asylum seekers are 'bogus' and 'undeserving', while the minority granted Convention status are the 'deserving'.

Welfare provision for asylum seekers and refugees

Asylum seekers

Recent legislation has focused almost exclusively on asylum seekers. Forbidden to work for the first six months of their stay,⁶ they are forced to depend on benefits or to work illegally. In the early 1990s, asylum seekers could claim cash benefits, including emergency income support at 90 percent of the standard rate, and were entitled to local authority accommodation. Though specific support for their needs was uneven, they were able to begin a process of settlement that could be continued if they were allowed to stay. In practice, many were compelled to depend on family, friends and community networks, and the shortage of local authority accommodation forced many into substandard housing in the private sector in the initial period (Carey-Wood et al., 1995; Sales and Gregory, 1998).

The 1993 Act removed the right of asylum seekers to permanent local authority accommodation, while under the 1996 Act they lost their right to housing benefit and other cash benefits. Under current arrangements, subsistence is given mainly in the form of vouchers with a small weekly cash payment (£10). The total amount is 70 percent of basic income support.⁷ Support can be removed at any time if destitution is deemed to have ceased, for example if the applicant has support from other sources such as friends, relatives or voluntary or community agencies.

The vouchers are provided by the French company Sodexho and are exchangeable only at designated supermarkets. No change may be given, so if an asylum seeker buys goods whose total cost is less than the value of the voucher, the supermarket retains the difference. Barbara Roche, the Immigration Minister, declared the unauthorized sale of vouchers a criminal offence,⁸ thwarting plans by campaigners to swap vouchers for cash to enable asylum seekers to buy what they want and prevent supermarkets profiting from the change. Checkout operators must check eligibility and ensure that purchases do not include banned items such as cigarettes and alcohol. This introduces an element of moral surveillance, and singles out asylum seekers, frequently exposing them to racist abuse from other customers. Confining their purchases to supermarkets means that many are unable to buy appropriate foods or meet religious dietary requirements, e.g. for halal meat.

In a cash economy, the voucher scheme excludes asylum seekers from society. They are prevented from participating in normal everyday activities in which cash is taken for granted. Lack of cash also limits access to health care and other services, including legal advice,⁹ while the low level of the total package is insufficient to provide a healthy diet, particularly for children (Chunilal, 1999: 3).

Housing is organized through a national system working with a consortia of local authorities and voluntary agencies in 'cluster' areas. In determining housing needs, the Secretary of State 'may not take into account any preference for locality or type of accommodation'. New reception zones have been established in areas outside London. The Audit Commission (2000a), in a major review of the dispersal arrangements, found inadequate support structures outside London both from statutory and voluntary services. Some schools and doctors are reluctant to accept asylum seekers, while there is low staff awareness of asylum rights and entitlements. Schools frequently do not have the expertise to teach refugees, and language barriers are particularly problematic in areas with few established communities. The lack of community structures also deprives them of practical help such as interpretation, and of emotional support, creating isolation and depression.

There is often a lack of suitable accommodation in areas to which asylum seekers have been sent (Finch, 2001: 24) and many are placed in hostels, making them more visible to local communities. Racist attacks are common, as are poor conditions.¹⁰ Research from Britain and elsewhere has shown that compulsory dispersal is unworkable (Duke, 1996; Joly and Cohen, 1989) since people return to centres where their communities are concentrated. While no reliable figures exist, those working with asylum seekers report that many are already leaving the NASS clusters and returning to London, where they are forced to rely on family and community for support. Single men find it easier to do this, since women – especially those with children – cannot afford the loss of benefits entailed if they leave the national system.

Refugees

The absence of any provision in the 1999 Act for those granted refugee status demonstrates in the sharpest form the government's preoccupation with control in its asylum policy. The only reference to

recognized refugees was that they must leave the NASS system within 14 days. Official thinking was that 'genuine' refugees would be prepared to undergo a temporary period of hardship since the process would weed out 'bogus' claimants, thus making their own position morally stronger. Thus, the process of settlement, which should begin on entry (Joly, 1996: 95), is explicitly postponed for months – and in some cases years. For those who have suffered trauma, the punitive regime imposed by the new system reinforces a sense of dislocation and loss. Recent research with Turkish and Kurdish refugees in London pointed to a high incidence of mental health problems, often associated with anxiety over legal status in the early years.¹¹

Once granted Convention status, refugees are entitled to social rights on the same basis as citizens, but, as the Home Office acknowledges, uptake of many benefits and services is low (Home Office, 1999: 2). Official policy is based on a hands-off approach that leaves initiatives to promote settlement to the voluntary sector. The Home Office provides grants to refugee agencies (primarily the Refugee Council) for projects to support settlement and for work with statutory bodies to help refugees gain access to services. It also fosters the development of self-help through RCOs (Carey-Wood et al., 1995). Some local councils and health authorities provide special programmes to assist settlement such as language courses, translation and advocacy services. A report on refugee health in London criticizes the tendency to rely on 'stand-alone projects with short-term and ad hoc funding and uncertain futures' (Health of Londoners Project, 1999: vi). Plans to improve coordination of efforts through consortia based in cluster areas have so far met with limited success.

In a major study for the Home Office, Carey-Wood et al. (1995) interviewed 263 recognized refugees from a range of communities about their experiences and needs within Britain. Two-thirds had experienced stress, anxiety and depression. The effects of war and persecution were compounded by social and cultural isolation, unemployment and language difficulties. Stress was aggravated by delays in processing applications, the threat of deportation and by separation from families.

Only 27 percent of this sample was employed, though most had good educational qualifications and had been employed in their home country. Refugees face multiple barriers to employment: many have no former connection with Britain and little knowledge of the language, culture or job market (Bloch, 1999b: 204). They rely

heavily on community networks to find employment. Women are particularly likely to be involved in informal work, including 'home-working' or family businesses.¹² Refugee groups without significant, long-established communities lack these networks and unemployment is correspondingly high.

Over one-quarter of Carey-Wood et al.'s (1995) sample had experienced homelessness in Britain. Most refugees rely on rented accommodation, and the shortage of local authority housing forces many into the private sector where poor conditions and racial harassment are common. Recent legislation forces refugees to start a housing application from scratch when their claim is recognized. For single people and couples without children and without priority needs, this will generally result in homelessness (Lukes, 2001: 37).

Some research suggests that women may find it easier than men to adapt to changed status (Kay, 1989; Refugee Council, 1996; Summerfield, 1993). Men often lose most status as a result of flight. Unable to work and fulfil a traditional 'breadwinner' role, they may also have lost a public political role. In contrast, many women experience new opportunities, often for the first time acquiring independent income through benefits or employment, and taking on new roles – both paid and unpaid – within the community (Sales and Gregory, 1998). On the other hand, the tensions inherent in the refugee experience can lead to a reassertion of patriarchal values and increasing domestic violence (Refugee Council, 1996), while sexist and racist attitudes in the host society can stereotype refugee women and reinforce their social isolation. Refugee women often have fewer language skills than their husbands and are less likely to be in paid employment.¹³ The impact of the dispersal policy is likely to be felt disproportionately by women. Cut off from community and kin networks, which are vital to their ability to find a sense of belonging in Britain, their dependence on the immediate family will be deepened.

Humanitarian status

Many people fleeing war zones do not face individual persecution and therefore do not meet the criteria for Convention status. Some states have granted temporary protection or humanitarian status, recognizing that refugees would be in danger if they returned. In Britain, this status, known as Exceptional Leave to Remain (ELR), has been

granted to individuals and groups from conflict zones such as Somalia and former Yugoslavia.

ELR offers many of the same social rights as Convention status, but is a weaker protection both in principle and in practice. Unlike refugee status, which carries rights stipulated in the Geneva Convention, humanitarian status is granted at the discretion of individual states and does not involve 'claim rights against the state' (Schuster and Solomos, 1999: 61). It is given for a limited period and can be withdrawn if the danger is considered over – though it is generally renewable – and may lead to Indefinite Leave to Remain (ILR).

ELR carries no right to family reunion. Applicants must wait five years and meet the same criteria as other applicants, i.e. show that they can support family members without 'recourse to public funds'. Britain has taken a limited view of the family, generally limiting it to spouses and dependent children. Separation from family increases stress during exile, making it difficult to put down roots.

While ELR may be granted following individual asylum claims, those entering on programmes are granted this status on admission. The Bosnia Project, run by a consortium of refugee agencies headed by the Refugee Council from 1992–7, offered a coordinated programme for reception and settlement. Accommodation was initially in reception centres, funded by the government but run by the project, which at its height employed 150 people (Bralo, 2000: 262). These provided advice and support in settling into British life, and this support was continued by caseworkers following their rehousing in the community. The project also facilitated long-term development work with service providers to ensure access to services (Bralo, 2000: 262). Following this programme, the Refugee Council convened an interagency group to formulate plans for future refugee flows, which formed the basis of the reception policy for Kosovan refugees admitted under a programme in 1999. Because of the numbers involved, the Home Office took responsibility for this programme (Bloch, 1999a: 25) and refugees were dispersed to reception centres throughout Britain.

These projects aroused little opposition from local communities (Bralo, 2000: 265; Guild, 2000: 84). These refugee groups were portrayed as victims of atrocities by Serbia, with whom – at the time of the Kosovan emergency – Britain was in a state of war. These refugees were therefore 'deserving', in contrast to the negative images

of refugees from other parts of the world where Britain did not have a specific involvement.

These comprehensive programmes provided a framework for refugee settlement that could be generalized. While the Bosnian experience appears to have been relatively successful (Bralo, 2000), the Kosovan experience suggests that lack of resources and of a permanent specialist staff seriously hampered the effectiveness of the programme. It is estimated that around 30 percent of those dispersed to reception centres moved back to London early on, where community networks exist (Bloch, 1999a: 25).

Non-statutory provision

The lines between statutory and non-statutory provision have become increasingly blurred as welfare restructuring has increased the involvement of voluntary agencies in the provision of mainstream welfare. Voluntary agencies depend on a variety of funding sources, including national and local government and charitable donations. At the same time, some refugee communities have been able to establish provision for their specific needs within statutory services. A range of agencies work with refugees and asylum seekers, providing services, advice and campaigning.¹⁴ These can be grouped under the following broad headings:

Refugee agencies These are formally constituted organizations with charitable status which work on behalf of refugees. They are run by professionals who are generally not refugees themselves, but may involve refugees in specific projects and employ them on their staff. The dominant agency is the Refugee Council, based in London, with regional offices. The Refugee Council offers services including training for employment, advice, and support with health and housing issues. It also campaigns on policy issues and produces information bulletins and research reports.

Charities Some charities work primarily with refugees. The best known and established, the Medical Foundation for the Victims of Torture, provides counselling for torture survivors and training for people working with refugees. Other major charities have special projects for refugees (for example, the World University Service and the NSPCC).

Churches Churches play a smaller role in welfare than in many European countries. Some national organizations have been established outside the formal hierarchy to provide advice, support and campaign around refugee issues, often in conjunction with secular groupings. These include the Churches Refugee Network and the Churches Council Against Racism. Individual churches provide services such as sanctuary to people threatened with deportation, accommodation for homeless asylum seekers, bail for detainees and drop-in centres.

Legal and advice agencies A network of voluntary sector organizations give free legal advice to vulnerable groups. Some specialize in immigration while, for others, such as Community Law Centres, this has become a major part of their work. The 1999 Act requires anyone offering immigration advice, whether for profit or not, to register as an immigration adviser and pay a fee (Chatwin, 2000: 12). This has restricted the advice available to asylum seekers, and, while asylum seekers may claim legal aid, access to appropriate advice is sometimes difficult (2001: 12).

Campaigning organizations National and local campaigns have developed around specific policies in relation to asylum, particularly deportation, detention and the voucher scheme. These organizations generally involve both refugees and non-refugees, and can provide informal advice and support, offering a bridge between individuals and more formal structures.

Refugee Community Organizations The most significant support for refugees and asylum seekers comes from RCOs, organizations run by and for refugee communities. Support for voluntary activity has been a major focus of official policy, and the 1999 Act 'co-opts and incorporates RCOs by offering them an explicit role' in the new framework (Zetter and Pearl, 2000: 676). The majority focus on providing advice and information for new arrivals. Another important function is to provide a safe meeting place where people can speak their own language and celebrate their own culture. Some provide formal or informal support to members seeking employment in local ethnic business and in gaining access to housing (Zetter and Pearl, 2000: 684). RCOs tend to be based on existing communities and are, therefore, concentrated in London and metropolitan areas. Structures are often informal, and lack of knowledge of British institutions and procedures can impede their development. Funding is obtained primarily through charitable funds and 'special' statutory funds which tend to be short-term, insecure and often subject to annual renewal, taking time and resources away from their main

work. They depend on voluntary work by members, and high staff turnover results in loss of skills and expertise. Over one-third of respondents to the Home Office survey had worked for RCOs.

Involvement in community voluntary work can develop into professional and more formal status, for example Somali women from a local RCO now work with social services in some London boroughs (Sales and Gregory, 1998). The development of health mediation and interpretation services often evolves from voluntary work. Some RCOs are involved in housing through partnerships with housing associations. While they have 'unrivalled skills, insight and knowledge of their communities' needs' (Zetter and Pearl, 2000: 687), they are often marginalized in a situation where such partnerships are increasingly subject to internal audits and performance criteria. Involvement of RCOs in mainstream services is therefore growing but patchy. Research focused on social services in one London borough found that, although the council had established a consultative forum with RCOs, this tended to be top-down and did not impinge on frontline delivery of services (Sales et al., 2002).

Following dispersal, RCOs have to struggle even more to meet community needs. In the absence of significant RCOs in the new cluster areas, London-based organizations are increasingly called on to act for community members over long distances. As people leave the national support system and return to London, this places additional burdens on these community groups.

Key emerging issues

Debate on immigration within mainstream British politics has been narrow and restrictive, with challenges to the proposition that immigration policy should be preoccupied primarily with control confined largely to the extraparliamentary arena. Conflicts have arisen mainly in relation to the impact of certain forms of control, rather than the issue of control per se. Although, when in opposition, the Labour Party had opposed the more oppressive measures of Conservative asylum legislation, the Immigration and Asylum Act 1999 went even further in restricting rights. There was remarkably little opposition to the legislation in parliament from Labour members. The largest revolt centred on its impact on women as mothers. Some minor concessions on the cash element in social support were won,

but these did not confront the punitive ideology embodied in the legislation and its broader implications for women.

These measures did, however, provoke strong opposition from a range of organizations such as trade unions, campaigning organizations, voluntary organizations working with asylum seekers and representatives of statutory service providers, including the British Medical Association. In response, the government undertook a review of the support system, and Home Secretary David Blunkett announced a 'fundamental reform of our asylum and immigration policy' (statement to the House of Commons, 29 October 2001). The new measures were given a cautious reception by organizations such as the Refugee Council, which welcomed the commitment to the end of the voucher scheme – around which much of the campaigning had focused – but expressed severe reservations about other elements in the proposed new scheme (Refugee Council, 2001). This 'fundamental reform' – coming so soon after major legislation on the issue under a previous Home Secretary – does not tackle the major problems for which campaigners criticized the previous system: the removal of asylum seekers from mainstream society through dispersal and a separate system of social support. Indeed, the emphasis on streamlining support structures and on 'control and tracking' of asylum seekers while their claims are processed (Refugee Council, 2001: 1) is likely to represent a further step in this direction.

The main measures proposed, which are expected to be incorporated into legislation early in 2002, include: (a) phasing out the voucher scheme; (b) the introduction of 'smart cards' as identification documents, which will incorporate information such as photographs and fingerprints; and (c) the introduction of a series of centres for accommodating asylum seekers at various stages of the asylum process. The latter include 'accommodation centres' which will provide board and lodging and access to some services such as legal advice. It is not expected that it will be compulsory for asylum seekers to stay in these centres, but they will be entitled to no support should they refuse. While these accommodation centres are planned to be based around a more effective system of 'language clusters', the system will reduce contact between asylum seekers and local communities. The proposal to provide education for children within these centres rather than in local schools would reinforce this isolation. In spite of the emphasis on streamlining, the new proposals are likely to take some years to implement and to run in parallel with the existing

system for some time, thus, at least in the immediate term, increasing rather than reducing the complexity of social support.

The capacity of 'detention and removal centres', to which asylum seekers are to be transferred in the event of a failed application, is planned to expand by 40 percent. These measures are being introduced in the aftermath of the attacks on New York of 11 September 2001, and heightened official and media concern with terrorism. The conflation of 'terrorism' and 'asylum seeker' in much of the public discourse has grave implications for the safety of asylum seekers, as the spate of racial attacks following 11 September demonstrated. The proposal to allow the Home Secretary to override part of the European Convention on Human Rights in relation to the detention of suspected foreign 'terrorists', excluding them from the asylum process, seriously threatens the rights of asylum seekers.

Blunkett's statement also made reference to the need for a 'managed migration process' to meet the labour shortages in both the public and private sectors, which have led employers to recruit overseas workers and to a consequent expansion in the issuing of work permits. This followed an earlier statement announcing a new 'Green Card' system for labour migrants. The admission of the dependence of key sectors on migrants has exposed the contradictions in official immigration policy. A Home Office study (Glover et al., 2001) for the first time attempted a comprehensive examination of immigration policy in relation to other policies. Asylum and immigration remain, however, rigidly distinct in policy terms as well as in public debate. While many asylum seekers are denounced as 'economic migrants', one obvious response to labour shortages would be to speed up the entry of refugees into the labour market. This would involve legal changes (ending the six-month period during which asylum seekers are forbidden to work), and training and conversion programmes to allow refugees to use their existing skills, qualifications and experience in Britain.¹⁵ No such proposal was included in Blunkett's statement.

This new debate on labour migration has been narrowly focused on the needs of the economy and predominantly on skilled labour. The acknowledgement that immigration is a positive benefit to the economy, however, opens up the possibilities for widening the immigration debate and promoting a more progressive agenda which links economic needs to broader human rights questions, including the rights of refugees and asylum seekers (JCWI, 2001). A key element in

this new agenda must be overcoming the separation in public debate and practical policy of the 'deserving' refugee and the 'undeserving' asylum seeker. The government has claimed to favour measures to encourage the 'social inclusion' of refugees (Home Office, 1999: 3) while, at the same time, enforcing a punitive regime when they arrive. The social exclusion and stigmatization to which they are exposed in this period damage their chances of settling, while racist discourse against asylum seekers impacts on everyone from these communities, whatever their legal status. The principles underlying the current system of social support need a comprehensive re-examination, ending the separation from mainstream benefits and services. The majority of asylum seekers are likely to remain in Britain, and policies need to be aimed at supporting them in rebuilding their lives here through comprehensive national structures to promote reception and settlement.

Notes

1. The total cost rose from £475m in 1989–99 to £597m in 1999–2000 (Audit Commission, 2001: 5).
2. According to staff from Hackney Community Law Centre, approximately half of those who lose their initial claim are allowed to stay legally.
3. This group includes non-EEA nationals whose leave to remain is conditional (Lukes, 2001: 33).
4. Research on the francophone Congolese community in London found considerable suspicion of the British health service (unpublished doctoral research in process on *Health-related quality of life of refugees in Britain and France*, Gina Taylor, Middlesex University).
5. There are 9000 detentions annually under immigration legislation. Eight detention centres are already open with a total of 2223 places. In addition there are around 100 places in smaller holding centres, making approximately 2700 in total (information supplied by National Coalition of Anti-Deportation Campaigns, personal communication).
6. In joint applications, only the applicant – normally the male 'head of household' – is generally entitled to apply for permission to work.
7. Single asylum seekers receive vouchers to the value of £36.54, a couple £57.37, with £26.60 for children under 16.
8. Parliamentary statement by Barbara Roche, 12 May 2000
9. They receive payment of travel expenses to official hearings, but not to visit lawyers.

10. Asylum seekers placed in tower blocks in Liverpool organized a hunger strike to protest about racism and poor conditions (National Coalition of Anti-Deportation Campaigns, 18 June 2001).
11. Preliminary results of *Civic Stratification and Migrant Trajectories in Three European States*, a research project funded by ESRC One European Project (E. Kofman, C. Lloyd and R. Sales, 1999–2001).
12. See Note 11.
13. See Note 11.
14. For a list of organizations offering advice to asylum seekers, see Immigration Law Practitioners' Association (2001).
15. A campaign entitled 'Refugees and Employment' is currently being run by the magazine *Personnel Today*, the leading trade magazine for human resource managers, which is aimed at persuading the government to ease the restrictions on the employment of asylum seekers. The campaign is being run in conjunction with the Refugee Council.

References

- Anderson, B. and Phizacklea, A. (1997) *Migrant Domestic Workers: A European Perspective*. Leicester: Leicester University.
- Audit Commission (2000a) *Another Country: Implementing Dispersal under the Immigration and Asylum Act 1999*. London: Audit Commission.
- Audit Commission (2000b) *A New City: Supporting Asylum Seekers and Refugees in London*. London: Audit Commission.
- Audit Commission (2001) *Halfway Home: An Analysis of the Variation in the Cost of Supporting Asylum Seekers*. London: Audit Commission.
- Bloch, A. (1999a) 'Kosovan Refugees in the UK: The Rolls Royce or Rickshaw', *Forced Migration Review* 5: 25–6.
- Bloch, A. (1999b) 'Refugees in the Job Market: A Case of Unused Skills in the British Economy', pp. 187–210 in A. Bloch and C. Levy (eds) *Refugees, Citizenship and Social Policy in Britain and Europe*. Basingstoke: Macmillan.
- Bralo, Z. (2000) 'London (United Kingdom)', pp. 256–76 in IRES-FVG (Istituto di Ricerche Economiche e sociali del Friuli-Venezia Giulia, *ROUTES: Models for Comparing Factors in EU Refuge Mobility*. Italy: Udine.
- Carey-Wood, J., Duke, K., Karn, V. and Marshall, T. (1995) *The Settlement of Refugees in Britain*. London: HMSO.
- Chatwin, M. (2001) 'The New Law and Procedure', pp. 1–16 in Immigration Law Practitioners' Association *Asylum Seekers: A Guide to Recent Legislation*. London: ILPA/Resource Information Service.

- Chunilal, N. (1999) 'Immigration and Asylum: Comment on the Government's New Bill', *Childright* 154: 3.
- Coker, J. (2001) 'Access to Health, Employment and Education', pp. 38–43 in Immigration Law Practitioners' Association *Asylum Seekers: A Guide to Recent Legislation*. London: ILPA/Resource Information Service.
- Duke, K. (1996) 'The Role of the Community Group in the Resettlement of Refugees', *New Community* 22(3): 461–78.
- Esping-Andersen, G. (1990) *The Three Worlds of Welfare Capitalism*. Cambridge: Polity Press.
- Faist, T. (1995) 'Boundaries of Welfare States: Immigrants and Social Rights on the National and Supranational Level', pp. 177–95 in R. Miles and D. Thränhardt (eds) *Migration and European Integration: The Dynamics of Inclusion and Exclusion*. London: Pinter.
- Finch, N. (2001) 'The Support and Dispersal of Asylum Seekers', pp. 17–25 in Immigration Law Practitioners' Association *Asylum Seekers: A Guide to Recent Legislation*. London: ILPA/Resource Information Service.
- Glover, S., Gott, C., Loizillon, A., Portes, J., Price, R., Spencer, S., Srinivasan, V. and Willis, C. (2001) *Migration: An Economic and Social Analysis*, RDS Occasional Paper 67. London: Home Office.
- Guild, E. (2000) 'The United Kingdom: Kosovar Albanian Refugees', pp. 67–90 in J. van Selm (ed.) *Kosovo's Refugees in the European Union*. London: Pinter.
- Health of Londoners Project (1999) *Refugee Health in London: Key Issues for Public Health*. London: East London and City Health Authority.
- Home Office (1998) *Fairer, Faster and Firmer? A Modern Approach to Immigration and Asylum*. London: HMSO.
- Home Office (1999) *Consultation Paper on the Integration of Recognised Refugees in the UK*. Croydon: IND Home Office.
- Immigration Law Practitioners' Association (2001) *Asylum Seekers: A Guide to Recent Legislation*. London: ILPA/Resource Information Service.
- JCWI (Joint Council for the Welfare of Immigrants) (2001) *Manifesto for the Reform of British Immigration Policy*. London: JCWI.
- Joly, D. (1996) *Haven or Hell? Asylum Policies and Refugees in Europe*. London: Macmillan.
- Joly, D. and Cohen, R. (eds) (1989) *Reluctant Hosts: Europe and its Refugees*. Aldershot: Avebury.
- Kay, D. (1989) 'The Politics of Gender in Exile: Chileans in Glasgow', in D. Joly and R. Cohen (eds) *Reluctant Hosts: Europe and its Refugees*. Aldershot: Avebury.
- Kofman, E., Phizacklea, A., Raghuram, P. and Sales, R. (2000) *Gender, Migration and Welfare in Europe*. London: Routledge.
- Lister, R. (1998) 'From Equality to Social Inclusion: New Labour and the Welfare State', *Critical Social Policy* 18(2): 215–26.

- Lukes, S. (2001) 'Housing and Related Benefits', pp. 29–37 in Immigration Law Practitioners' Association *Asylum Seekers: A Guide to Recent Legislation*. London: ILPA/Resource Information Service.
- MacGregor, S. (1999) 'Welfare, Neo-liberalism and New Paternalism: Three Ways for Social Policy in Late Capitalist Societies', *Capital and Class* 67: 91–118.
- National Coalition of Anti-Deportation Campaigns, URL (consulted June 2001): ncadc@org.ad.uk.
- Newham Refugee Centre (1996) *Refugees, Torture and the Health Services*. London: Newham Refugee Centre.
- Owers, A. (1994) 'The Age of Internal Controls?', pp. 264–81 in S. Spencer (ed.) *Strangers and Citizens: A Positive Approach to Migrants and Refugees*. London: Rivers Oram Press.
- Refugee Council (1996) *Women Refugees*. London: Refugee Council.
- Refugee Council (2001) *The Home Secretary's Asylum Proposals, October 2001* (Refugee Council briefing). London: Refugee Council.
- Sales, R. and Gregory, J. (1998) 'Refugee Women in London: The Experience of Somali Women', *Refuge* 17(1): 220.
- Sales, R., Hek, R. and Hoggart, L. (2002, forthcoming) *Care and Control: Dilemmas of Social Work with Asylum Seekers*, London Regeneration Paper. London: Middlesex University.
- Schuster, L. and Solomos, J. (1999) 'The Politics of Refugee and Asylum Policies in Britain: Historical Patterns and Contemporary Realities', pp. 51–75 in A. Bloch and C. Levy (eds) *Refugees, Citizenship and Social Policy in Europe*. Basingstoke: Macmillan.
- Shutter, S. (1997) *Immigration, Nationality and Refugee Law Handbook: A User's Guide*. London: JCWI.
- Summerfield, H. (1993) 'Patterns of Adaptation: Somali and Bangladeshi Women in Britain', pp. 83–98 in G. Buijs (ed.) *Migrant Women: Crossing Boundaries and Changing Identities*. Oxford: Berg.
- Williams, F. (1987) 'Racism and the Discipline of Social Policy: A Critique of Welfare Theory', *Critical Social Policy* 7(2): 4–29.
- Zetter, R. and Pearl, M. (2000) 'The Minority within the Minority: Refugee Community-based Organisations in the UK and the Impact of Restrictionism on Asylum-seekers', *Journal of Ethnic and Migration Studies* 26(4): 675–98.

□ Rosemary Sales is reader in social policy at Middlesex University. Her current research interests are migration in Europe, gender and migration, and refugee settlement in Britain. Publications include: *Women Divided: Gender, Religion and Politics in Northern Ireland* (Routledge, 1997); *Gender and*

Migration in Europe (with E. Kofman, A. Phizacklea and P. Raghuram, Routledge, 2000); and *Women, Work and Inequality* (edited with J. Gregory and A. Hegewisch, Macmillan, 1999). She is currently engaged in an ESRC-funded project on migration and citizenship rights in London, Paris and Rome. *Address*: School of Social Science, Middlesex University, Queensway, London EN3 4SF, UK. email: r.sales@mdx.ac.uk □