

Embracing Diversity

Spring Supplement 2009
to Information Update 2008

(Full Information Update 2009
to be published in the autumn)

EMBRACE NI

48 Elmwood Avenue
Belfast BT9 6AZ

Published by
EMBRACE NI
48 Elmwood Avenue
Belfast BT9 6AZ
E-mail: info@embraceni.org
Web: www.embraceni.org

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Introduction

Normally we would be publishing a full information update at this time, but have decided to postpone it until autumn this year. We hope that a number of issues will be clarified by then. Inward and outward migration figures should be clearer by summer. An immigration bill is currently being discussed in Parliament. An immigration advice and enforcement office will probably have been opened in Belfast during the summer. It is still unclear when the long-expected NI Executive's consultation document on Cohesion, Sharing and Integration will appear. However, there have been a lot of changes since last spring, so we have decided to draw attention to recent changes now, and bring out our full Information Update later in the year.

If you are a Christian, and a British or Irish citizen and do not have people from other countries in your congregation, you may feel that immigration policy and controls have nothing to do with you. However, the new points-based immigration system (pages 12–16) has brought some churches face to face, perhaps for the first time, with the complexity and rigidity of our increasingly strict 'fortress Europe' rules, as they struggle to bring in ministers or students from abroad. This gives them common cause with people from outside Europe who feel that their contribution here is undervalued as barriers to citizenship and to new migrants are raised. (See pages 18–19.)

This is a period of confusion for everyone. There is no doubt that we are in economic recession but we do not know if recovery is near or far away, and we are unsure about the consequences for people who have arrived here recently. Will more local people feel that they have to emigrate, and where will they go? Will incomers stay or go? One thing is certain: there is a danger of increased racism during a period of economic stress. It is as important as ever that Christians are well informed, so that they can combat misinformation and the scaremongering that is a feature of some sections of the media, and can spread so easily throughout society.

Please read this supplement alongside *Embracing Diversity: Information Update 2008*.

EMBRACE

is a voluntary group of Christians from all the main denominations in Northern Ireland. Our primary role is to provide information and resources for Churches, groups and individuals, in order to help make this a more welcoming place for minority ethnic people, including residents, migrant workers and people who have been forced to flee from other countries. We want to help to build a community that has moved beyond racism.

Why should we care?

‘Our duty is to infect the world with the goodness of God: Christ’s risen life into the world.’

Church of England Archbishop of York, John Sentamu

‘...women are being forced to choose between extreme poverty and remaining in potentially deadly relationships.’

See page 11

‘Migrants become easy targets at times of economic difficulty but introducing yet more tough measures to exclude people could damage our prospects for economic recovery.’

See page 19

‘Do justice, love kindness and walk humbly with your God’

Micah 6:8

‘People who used to move drugs around now move people around.’

See page 21

‘They struggle to tell their stories, many have their claims for asylum rejected, and many end up sleeping rough or forced to rely on others.’

See page 25

‘And he rose and took the child and his mother by night and departed to Egypt’ Matthew 2:13

‘I just wanted to take my Bible, but they didn’t let me.’

See page 28

‘...my wife’s not happy – she can’t sleep at night – we’re all scared now, we can’t really live this life anymore.’

See page 32

‘Lord... when did we see you a stranger and welcome you?’

Matthew 25: 38

‘Them bringing us furniture. It was wonderful.’

See page 35

‘The heart of Christianity is hospitality.’ Jean Vanier

See page 37

Immigration

(See *Embracing Diversity: Information Update 2008* pages 5–15)

During the early stages of increased inward migration, following the end of the Troubles and EU enlargement, there was little if any proper planning for integration and some people felt that it might be a temporary phenomenon. Happily that attitude passed and voluntary and statutory bodies have made great efforts to improve the availability of services for migrant workers and to build relationships within local communities. However, recession has brought increased pressure on public finances and there is a danger that the resources previously allocated for this work may be reduced, especially if people feel it is inevitable that new migrants will now go home. Many positive projects have yet to be mainstreamed and with financial restraints it may well be that money for helping to integrate incomers will only be available if there is anything left over, when all other budget commitments are fulfilled.

'The unprecedented scale of recent migration into Northern Ireland very quickly highlighted the lack of strategic preparation by government, employers, and service providers for dealing with additional needs and expectations of the new communities. ... the experience of sustained large-scale inward migration should now convince policy makers that forward planning is central, if the pressures and inequalities that follow are not to become a cause of sustained community conflict.'

Agnieszka Martynowicz and Neil Jarman, *New Migration, Equality and Integration: Issues and Challenges for Northern Ireland*, October 2008, page 4.

The recession is deep and there is bound to be speculation as to whether the migrant workers who came here recently in relatively large numbers will now go home. When it comes to analyzing numbers, please bear in mind the note on page 5 of *Embracing Diversity: Information Update 2008* that explains why it is not possible to have accurate up-to-date figures. The latest **UK Border Agency (UKBA) Accession Monitoring Report**, on the consequences for the UK of EU enlargement, covers the period up to December 2008.

http://www.ukba.homeoffice.gov.uk/sitecontent/documents/aboutus/reports/accession_monitoring_report/report18/may04-dec08?view=Binary

It indicates that immigration from eastern and central Europe has slowed. The number of approved initial applicants for the Home Office **Worker Registration Scheme** from the A8 accession countries (see page 6 of *Embracing Diversity: Information Update 2008*) has dropped to 27,000 in 2008, mainly because less Polish people have come to the UK. Most are young people, as in earlier years. In Northern Ireland 5,755 people registered, making a total of 27,315 applications between 2004 and 2008. The top categories of employment here are administration, business and management; manufacturing; food, fish and meat processing; construction and agricultural work. For a map of A8 migrant worker distribution in the UK 2004–07 see <http://news.bbc.co.uk/1/hi/uk/7370955.stm>.

Across the UK many A8 nationals are supporting the provision of public

services in our communities. In 2008 1,095 A8 nationals have registered as bus, lorry and coach drivers, 2,985 as care workers, 820 as teachers, researchers and classroom assistants, 60 as dental practitioners (including hygienists and dental nurses), and 785 as GPs, hospital doctors, nurses, and medical specialists.

Although increasing, the numbers of A8 nationals applying for tax-funded, income-related benefits and housing support remain low in comparison to the total number of claimants in the UK, and proportionately lower in relation to their numbers in the population. For example, 3,936 applications for Income Support and Jobseeker's Allowance were processed in 2008, of which 1,093 were allowed to proceed for further consideration.

It is anticipated that the new, more restrictive, points-based immigration system (see pages 12–16) will reduce the numbers of people coming here from outside the EEA. However, it is too early to tell. The Northern Ireland Statistics and Research Agency (NISRA) reported last year that people coming here on work permits continued to number around 2,000, although the numbers to June 2007 were slightly down. Indian and Filipino were the largest groups of people who applied for work permits.

<http://www.northernireland.gov.uk/news/news-dfp/news-dfp-july-2008/news-dfp-310708-new-migrants.htm>

People are still leaving here as well. On a different time scale, the Northern Ireland Statistics and Research Agency (NISRA) has published figures illustrating the impact of changing migration patterns, in the year to June 2007. Figures show that 32,000 people came to live in Northern Ireland and 22,000 people left. It is reckoned that between 2004 and mid 2007 immigration has exceeded emigration by 26,000 people.

The same figures show that in 2007, 3,500 (about 2%) of children in primary schools did not have English as their first language. For secondary schools the figures are 1,700 or 1%.

<http://www.northernireland.gov.uk/news/news-dfp/news-dfp-july-2008/news-dfp-310708-new-migrants.htm>

Interpretation Requests in Newry & Mourne

Sociologist and researcher, Dr Robbie McVeigh, quotes National Health and Social Services interpretation request figures for January–March 2008 to illustrate the variety of nationalities in the area. He acknowledges that many migrant workers, such as nurses, may be English speakers and therefore do not need interpreters. Of the total of 452 requests there were 251 for Polish, 94 for Lithuanian, 26 each for Portuguese and Russian, 11 for Hungarian, 9 for Mandarin Chinese and 5 for Cantonese, 7 for Bulgarian, 6 for Latvian, 3 for Yoruba, 2 for Hindi, and single requests for Czech, Estonian, Italian, Thai and Ukrainian.

Robbie McVeigh *'We Asked for Workers but Human Beings Came': Report on the Economic Impact of Migrants Workers in Newry and Mourne and Louth for Challenge of Change*, 2008, page 25.

'A8 workers are continuing to go where the work is, helping to fill the gaps in our labour market, particularly in administration, business and management, hospitality and catering, agriculture, manufacturing and food, fish and meat processing.'

**Accession
Monitoring Report,
page 1.**

Unemployment Levels

In July 2007 Northern Ireland had its lowest recorded unemployment figures, at an estimated 3.7%, but by the quarter ending March 2009 the recession had caused the figures to rise to 5.7%. This is still below the UK average of 6.7%, the European average of 7.6% and the Republic of Ireland rate of 8.8% in January 2009. See http://news.bbc.co.uk/1/low/northern_ireland/8011494.stm

Birth Rate Recovers

Back in 2004, Northern Ireland had the lowest birth rate in the UK. It has risen now for 6 years in a row, with 25,600 live births in 2008, 5% more than in 2007. In 2008 we had the highest birth rate in the UK and Republic of Ireland. This is partly because mothers who delayed having their babies until their thirties are now starting families, but immigration has also had an impact. In 2008, 2,300 babies were born to mothers who were born outside the UK or the Republic of Ireland. Of these, 1,080 were born to mothers from the A8 central and eastern European countries, and 1,267 from other countries. This is the first time births have reached replacement level since 1991 but the birth rate is still below that in the mid 1980s.

http://www.nisra.gov.uk/archive/demography/publications/births_deaths/births_2008.pdf

ENVIRONMENTAL CAUSES AND EFFECTS OF MIGRATION

(See *Embracing Diversity: Information Update 2008* page 9)

People are increasingly talking about the effect of drawing in people, from areas of low consumption and potentially sustainable development, into countries where they become producers and high volume consumers, and part of the damaging levels of energy use which contribute to climate change. So, the concerns of some people that the UK population may rise to 70 million, are not only about possible overcrowding and service provision, but also about the environmental effect this may have on the world. Until recently, the economic system and prosperity in developed countries has been sustained by economic growth and an expanding labour market, but how far is this consistent with a moral view about the use of the world's resources and respect for the planet?

Climate change in Africa and its dire effects on increased poverty are also factors in the increasing desperation of people trying to gain entry to the European job market. In recent months many thousands of people have tried to reach the EU by boat via the Canaries. In March 2009 the United Nations High Commission for Refugees recorded its shock that hundreds of people were already missing, feared drowned off the Mediterranean coast of Libya. As this year's 'smuggling season' begins the UNHCR High Commissioner António Guterres said:

'In today's globalized world, money moves freely; goods tend to move more and more freely; but the obstacles to the movement of people are still in place and, to a certain extent, increasing.

We have more and more people on the move and more and more barriers to their movement, creating a situation in which a large number of the people who cross international borders do so in an irregular way. And when people move in irregular ways, it becomes all the more difficult to distinguish between economic migrants and bona fide refugees or asylum seekers...'

<http://www.unhcr.org/news/NEWS/49d229b72.html>

THE LIKELY IMPACT OF THE FINANCIAL CRISIS ON MIGRATION

The dramatic economic downturn is bound to have impacts on migration as with other aspects of international life. The **International Organization on Migration (IOM)** has highlighted the likely consequences in a policy briefing in January 2009. These are some of the effects that they have either observed already or think likely to occur:

- Job losses will occur especially in construction, manufacturing, finances, services, retail and tourism, and will affect migrants in these sectors.
- Employers will try to reduce wages and erode working conditions and this will impact on the quality of life of migrants.
- There is a risk of discrimination and xenophobia as migrants are mistakenly perceived as 'taking the jobs of local workers'.
- The return of unemployed migrants could affect economic and social stability in their home countries.
- The decline in remittances could be a problem for developing countries, especially if migrants mistrust the stability of banking systems and choose irregular routes to send money home.
- Immigration policies will become more restrictive (as we have already seen in the UK).
- There is likely to be an increase in irregular migration and trafficking, and a strengthening of the 'informal economy'.

Among the policy suggestions are the following:

- protection of migrants' rights;
- facilitating the flow of remittances and lowering transaction costs;
- protecting migrants from stigmatization and xenophobia;
- keeping regular migration channels open to prevent irregular migration and trafficking;
- and monitoring the impact of the crisis on migrants.

http://www.iom.int/jahia/webdav/shared/shared/mainsite/policy_and_research/policy_documents/policy_brief_jan2009.pdf

For groups living on the fringes of society the impacts may be particularly grave. The co-ordinator of the **European Roma Policy Coalition** has observed European far right groups growing in strength, with attacks on Roma people in a number of countries, at the same time as there is an increase in long-term unemployment and poverty for these people. <http://euobserver.com/851127250>

No Borders Network

No Borders is an international network of groups with the radical aim of freedom of movement for all, the end to all migration controls and the end to division between citizens and non-citizens. In the UK they have campaigned against immigration detention and supported anti-deportation campaigns. See <http://www.noborders.org.uk/>

Most people find these ideas very challenging and feel that border controls are essential, if only for security reasons, but Christians in countries such as the USA have argued that a relaxation of restrictions, for example, on the Mexican border, would conform to the view that in Christ there are no borders. To get a flavour of both sides of the debate see <http://www.noborderscamp.org/en/border-patrol>.

The words we use...

'Third Country Nationals'

In some countries this term is used when foreign contractors use employees from a country other than their own, but in the EU, a 'third country' is one that is not a member of the Union. Locally the term 'third country national' is used to describe migrant workers from outside the European Economic Area. They are treated differently for immigration purposes (see pages 12–16) and in terms of working, welfare, and citizenship. Under Article 31 of the Charter of Fundamental Rights of the European Union, however, 'Every worker has the right to working conditions that respect his or her health, safety and dignity.' To read more see <http://www.eurofound.europa.eu/areas/industrialrelations/dictionary/definitions/thirdcountrynationals.htm>

The words we use

This year controversies have arisen relating to the employment, pay and conditions of some foreign workers. British workers have felt excluded from contracts where foreign companies have brought in their own staff and there have been concerns locally about the working and living conditions of non-EU workers in the fishing industry. These issues have brought some unfamiliar terminology such as 'Posted Workers' and 'Transit Visas' to news reports. See main text.

Posted Workers:

An EU Directive concerning the free movement of workers in the EU allows companies to employ their own workers when they carry out work in another country. A European Court of Justice interpreted the **Posted Workers Directive (1999)** as meaning that employers are only required to apply the equivalent minimum wage and working conditions that workers would experience in their home country.

Transit Visas:

If someone is passing through the UK on the way to another country they may need a 'visitor in transit' visa. In the case of the fishing and shipping or oil industries, transit visas are designed for temporary use to allow workers to join ships that are about to leave UK waters. In fact they are sometimes used on a long-term basis, to avoid the work permit regime for non-EU workers. Such workers have been found in the Co. Down fishing industry with evidence of exploitation in terms of both pay and conditions. (See below.)

SOCIAL JUSTICE ISSUES RELATING TO MIGRANT WORKERS

See *Embracing Diversity: Information Update 2008* pages 15–16)

CAB Report: In the Dark

In December 2008 Citizens Advice (CAB) published a report giving evidence of the denial of basic employment rights here. Every year over 23,000 people consult CAB about workplace rights and, recently, some are people who have come here from other countries. **In the Dark** shows that many of the foreign people working here are not given proper contracts and/or pay slips.

'A reality of extremely long hours and low rates of pay coupled with the denial of other basic employment rights such as the right to paid holiday and sick pay exists for many migrant workers in Northern Ireland.'

To read more see

<http://www.citizensadvice.co.uk/en/Publications/Social-Policy-Reports/In-The-Dark/>

Exploitation in Our Fishing Industry

In December 2008 the news broke that transit visas (see above) were being used in the Co. Down fishing industry to employ around 160 Filipino men at local Philippines wages, some earning the equivalent of £375 per month including overtime, for 300 hours work. The **International Transport Federation (ITF)** said that the minimum wage here would entitle them to more than £1,600 per month. Money does not go far for men who may wish to phone home in order to keep in touch with their families. Some of the stories included accusations of physical ill treatment as well as exploitation. Many of the workers were being forced to live on board the boats, as they had no documentation to entitle them to go ashore and to be housed on land. The fact that they are here on transit visas makes it possible for employers to threaten them with deportation. At least one man is thought to have been removed from the country, by the immigration authorities, after his employer learned that he had spoken about his problems to a local MLA.

To read more, see the ITF report *Migrant Workers in the Scottish and Irish Fishing Industry*, November 2008, which has the subtitle 'forced or compulsory labour or just plain modern day slavery'.

<http://www.ictuni.org/uploads/67b098da-831b-4ef7-ba01-f5111705d2bc/Migrant%20Fishers%20Report%20Nov%20251108.pdf>

News stories: http://news.bbc.co.uk/1/hi/northern_ireland/7773255.stm

Immigration Policy and Legislation

(See *Embracing Diversity: Information Update 2008* pages 12–15 and 18–19)

WORKER REGISTRATION SCHEME (WRS) AND DESTITUTION

Under the WRS migrant workers from the A8 accession countries have to pay £90 to register with the Home Office and need one year's uninterrupted work in order to be entitled to full welfare, housing and medical benefits here. (They are only allowed a break in employment of 30 days.) Some employers have failed to ensure that their employees are registered, and workers are sometimes unaware of the need to register. The requirement is strictly applied, and some migrant workers become destitute when they become unemployed. They find themselves ineligible for social security benefits, despite having worked and paid tax. (See page 41, *EMBRACE on the Street*.) It is a criminal offence for an employer to continue to employ a worker who did not register within one month of starting to work, or has not kept copies of registration forms. A fine of £5,000 is possible.

The scheme was due to end in 31 April 2009 but the Government has decided to renew it for a further two years, until 2011. In May 2008 the **Trade Union Congress** joined with the **Association of Labour Providers**, the **National Farmers Union** and the **Federation of Poles in Great Britain** to call for an end to the WRS because of the cost to migrants, the inaccuracy of the figures produced and the inconvenience to employers.

The **NI Human Rights Commission (NIHRC)** has investigated the situation locally and also called for the abolition of the WRS. They had found that the denial of essential services, homelessness support and welfare benefits caused extreme hardship, and note that

'women are being forced to choose between extreme poverty and remaining in potentially deadly relationships. The Commission has also encountered a number of people forced to sleep rough on the streets of Northern Ireland having being denied access to temporary accommodation.'

The NIHRC has made the following recommendations:

- It should be administered compassionately where there is a risk of destitution.
- Victims of domestic violence should be allowed access to services.
- The government should ensure that employers are aware of their obligations.
- Employers should be sanctioned when they ignore their obligations.
- The £90 fee should be lowered for migrant workers.
- Rights guides should be freely available to migrant workers both before they come here and when they are here.

Northern Ireland Human Rights Commission evidence on the impact of the WRS, submitted to the UK Border Agency, 10 March 2009

http://www.nihrc.org/dms/data/NIHRC/attachments/dd/files/106/Submission_of_evidence_to_UKBA_regarding_the_Worker_Registration_Scheme.pdf

The complexity of the term 'migrant worker'

'...it is clear that some migrant workers have many more rights than others – the status of migrant workers can vary from those of a British citizen working in Dundalk or an Irish citizen working in Newry – with effectively the same rights as a citizen of the jurisdiction – to those of an 'undocumented worker' – with almost no rights at all. Robbie McVeigh 'We Asked for Workers but Human Beings Came': *Report on the Economic Impact of Migrants Workers in Newry and Mourne and Louth for Challenge of Change*, 2008, page 10.

BULGARIA AND ROMANIA (A2)

People newly arriving from the A2 Accession states are not allowed the same access to the labour market as those from the A8 (see *Embracing Diversity: Information Update 2008* page 14). It was announced in December 2008 that these restrictions will remain, in order to protect British workers during the economic downturn. See http://news.bbc.co.uk/1/hi/uk_politics/7789365.stm

A2 Nationals can work as self-employed workers without restriction. For other employment, the prospective employer needs to apply for a **Letter of Approval** from the UK Border Agency (UKBA) which enables the worker to apply for an **Accession Worker Card** under the Worker Authorisation Scheme. After 12 months of uninterrupted employment workers from the A2 (and A8) countries can apply for a **Registration Certificate** confirming that they are then exempt from work authorisation requirements. See *Your Rights in Northern Ireland, A Guide for Migrant Workers from: Romania and Bulgaria*

<http://www.lawcentreni.org/Publications/Migrant%20Workers/A2%20English.pdf>

Some A2 nationals are exempt from registering under the Worker Authorization Scheme. For example, applicants who meet the 'highly skilled migrant' criteria can apply for a work permit themselves (rather than their employers). They can apply for a Registration Certificate immediately and therefore do not need to complete one year of 'authorized' work. Over the period 1 Jan 2007 – 31 March 2008, 300 'highly skilled' work permits were issued locally to Bulgarian nationals and 100 to Romanian nationals.

The only low skilled workers from the A2 countries who will be allowed to work for employers in the UK this year will be 21,250 in the **Seasonal Agricultural Workers Scheme (SAWS)** and 3,500 in the **Sector Based Scheme** for food processing. They need to apply for an **Accession Work Card (AWC)**. These rules are subject to review.

The restrictions give Bulgarians and Romanians a sense of grievance. The fact that they can enter the country freely, but have restricted access to the legitimate labour market, leaves them liable to exploitation by unscrupulous employers. A similar situation exists in the south and in November 2008, the Dublin-based Migrant Rights Centre Ireland claimed that the situation 'is reinforcing a two-tiered Europe and undermines EU integration and cohesion'. http://www.mrci.ie/news_events/index.htm#press

For the welfare rights of A2 citizens see the Child Poverty Action group's *Welfare Rights Bulletin 196* <http://www.cpag.org.uk/cro/wrb/wrb196/A2%20nationals.htm#int>

THE POINTS-BASED IMMIGRATION SYSTEM

(See *Embracing Diversity: Information Update 2008* pages 12–14)

The government has increasingly sought to limit immigration to people who will fill labour and skills shortages, most recently by a 5-tier, Australian style points-based system for people from outside Europe. From the date the scheme was announced in 2005, there have been fears that the severe restrictions placed on workers coming here from outside the European Economic Area would create shortages. Areas specially mentioned were as diverse as Asian restaurants, the care industry and the availability of itinerant sheep shearers.

There were further anxieties within the health service in autumn 2008

when it was announced that, under a new Home Office list of shortage only senior non-EU care home staff, at a minimum wage of £8.80 per hour, could be recruited. The *Nursing Times* also reported that a survey among nurses showed that 86% of respondents believed there would be a nursing shortage within the next two years. See

<http://www.nursingtimes.net/whats-new-in-nursing/eu-rules-threaten-staff-shortages/1847429.article>

Employers are increasingly liable for penalties if they do not check that they are employing foreign nationals legally. They must keep a record to prove that each employee is able to work legally before they commence employment. Every non-EEA employee's immigration status must then be re-checked every 12 months to ensure a continuing right to work in the UK. Since February 2008 the UK Border Agency has issued over 1000 fines worth over £10 million.

In an announcement on 22 February 2009, stressing toughness, Home Secretary, Jacqui Smith detailed how the Government's new policies were being rolled out. She stated that shortages of workers in certain occupations would trigger skills reviews, to ensure that future shortages can be filled locally. She also announced more stringent rules within Tiers 1 and 2. See below.

<http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/migrantworkerstoughertest>

Tier 1 (highly skilled migrants)

From 31 March 2009 workers eligibility requirements for Tier 1 have been raised. People are required to have a Masters Degree and a minimum salary of £20,000.

Tier 2 (skilled people with job offers)

This tier became operational in November 2008. Since March 2009, employers have a greater obligation under the '**resident labour test**' and must demonstrate that no suitably qualified 'settled' worker can do the job. Before bringing in migrants, jobs must be advertised to local workers in Jobcentre Plus, and by other approved methods. (Also see below for sponsorship obligations.)

Tier 3 (low-skilled workers)

The Government has suspended Tier 3 to ensure nobody from outside the European Economic Area (EEA) can come to the United Kingdom to work in a low-skilled job.

Tier 4 (Students)

This came into effect on 31 March 2009. For non-EU students, colleges and universities must register as a licensed sponsor. Students must meet a number of criteria and cannot transfer between different academic institutions.

Tier 5 (Youth Mobility and Temporary Workers)

This came into effect with Tier 2 in November 2008.

Life in the UK Test

From April 2007 anyone who wants to become a British citizen or settle permanently in the UK has had to show that they understand life here, either by passing the Life in the UK Test or by taking a combined English for Speakers of Other Languages (ESOL) course along with citizenship classes. To find out more about the test, or where you can access classes phone the UK Test Helpline: 0800 015425
See also:
<http://www.lifeintheuktest.gov.uk/>

Official advice from the Home Office:

Quick guides to the points-based system are available at

<http://www.ukba.homeoffice.gov.uk/employers/points/whatisthepointsbasedsystem/>

Sponsorship (Tier 2 and Tier 5)

Employers bringing in staff under Tier 2 from outside the European Economic area must sponsor the worker and this involves considerable obligations.

If you are an employer or education provider who wants to act as a sponsor, you will need a licence. When you get the licence, you are added to the register of sponsors. Organisations are likely to be subject to extensive checks to see if they are legitimate, but also to ensure that they have the administrative ability to carry out the duties of a sponsor. If you are registering for the first time the fee for sponsors with charitable status varies from £300 – £1,000 depending on the size of the organization, for Tier 2, and £400 – £1,000 for Tier 5. Licences can be suspended.

Tier 2 has a number of categories: skilled worker; intra-company transfer; sports people and **ministers of religion**. For this last category see

<http://www.ukba.homeoffice.gov.uk/employers/points/sponsoringmigrants/migrantcategories/skilled/#header4>

The official Home Office advice is repeated below as it has already caused problems for churches and missionary organisations. This information is included in order to inform groups as to the complexity and difficulty within the points-based system. For professional immigration advice, people should consult licenced professionals, such as the Law Centre (NI), or CAB. (See *Embracing Diversity: Information Update 2008* page 58.)

Minister of Religion Category (Tier 2)

The minister of religion category is for people coming to the United Kingdom to work in a job as religious workers within a genuine (bona fide) religious organisation for up to three years.

This category includes: preaching or performing pastoral duties; work as a missionary; or work in a religious order within a community which involves a permanent commitment, like a monastery or convent.

Pastoral duties include: leading worship regularly and on special occasions; giving religious education to children and adults by preaching or teaching; officiating at marriages, funerals and other special services; offering counselling and welfare support to members of the congregation; recruiting, training and co-ordinating the work of any local volunteers and lay preachers.

Work as a missionary is not just preaching and teaching and can include: the organisation of missionary activity, but should not be administrative or clerical, unless filling a senior post; supervising staff; co-ordinating the organisation of missionary work; being in charge of a particular activity such as accounts/finance, personnel management or IT; or translating religious texts is missionary work not clerical work. The work in a religious order must be in the order itself or outside work directed by the order.

Migrants should apply under the student category (**Tier 4**) if they are a member of a religious order and studying for a qualification, a formal full-time course of study or training in an academic institution not looked after

by the order. Working full-time as a teacher in a school run by a church or missionary organisation does not count as missionary work. Teachers must apply as a teacher under the sponsored skilled worker category.

Religious Worker (Tier 5)

(This includes many temporary workers.)

To get a licence under this category, you must be a genuine (*bona fide*) religious institution, which: is a registered, excepted or exempt United Kingdom charity according to the relevant charity legislation in force in its part of the United Kingdom, or is an ecclesiastical corporation (either corporation sole or body corporate) established for charitable purposes.

In Northern Ireland the organisation must have obtained charitable status for tax purposes from HM Revenue and Customs. Charities that are not registered according to the relevant charity legislation must explain the reason for non-registration when they apply; and include any religious belief or similar philosophical belief in something transcendental, metaphysical or ultimate; exclude any philosophical or political belief concerned with man, unless that belief is similar to religious belief; and does not exclude from its community on the basis of gender, nationality or ethnicity; and receives financial and material support for its core religious ministry from its congregation or community on a voluntary basis only, without promise or coercion; and does not breach, or encourage others to breach, any United Kingdom legislation; and does not operate against the public interest, or in a way that has a detrimental effect on personal or family life as these are commonly understood in the United Kingdom.

<http://www.ukba.homeoffice.gov.uk/employers/points/sponsoringmigrants/eligibility/tier5religious/>

IMPLICATIONS FOR CHURCHES AND CHARITIES

Churches with substantial administrative capacity who have regular migrant staff members, interns, or students, will find ways of coping with the extra burden of sponsorship, but it is not a system which suits many Christian groups. Most ministers of religion in the main denominations are technically self-employed, and used to be responsible for their own immigration status. Churches have had to find ways of becoming 'quasi employers'. The expense and complexity of the paperwork will be a deterrent to bringing people here to work for relatively short periods.

On 17 April 2009 Evangelical Alliance issued guidelines to assist churches and organisations to negotiate the complex and confusing situation. These can be accessed at <http://www.eauk.org/public%2Daffairs/socialjustice/> Daniel Webster of Evangelical Alliance told *Christianity Today* that 'While drawing up our guidelines for the new system, it became clear that the Border Agency hasn't taken into account the way Christian activities work in practice.' ...

'Some of the problems we have seen are due to churches not being aware of their new responsibilities, while on other occasions immigration officials have wrongly banned people from the country because they haven't understood their own rules.'

It was reported that American Christian singer Don Francisco had been refused entry into the UK because immigration officials did not believe he was going to perform for free and that a group of American church

Sponsorship Duties

Sponsors have a duty to comply with the UK Border agency in complex record keeping, including copies of passports and contact details. They also have rigorous duties in reporting events such as delays in taking up work, absences of more than 10 days, and any changes of circumstance. These all have to be reported to the UK Border Agency within 10 working days.

volunteers had been deported from Scotland.

<http://www.christiantoday.co.uk/article/immigration.rules.throw.churches.into.confusion.says.evangelical.alliance/23091.htm>

The new regime has caused problems for some local organisations. Youth with a Mission (YWAM) in Belfast has had to cancel some Discipleship training courses because they have been able to bring in trainees from areas such as South Africa, Lebanon, Palestine and the North and South America. Having applied for both Tiers 2 and 5, they were only given sponsorship status for charity workers and not religious workers. They hope that they will be able to sort the problem out in future, but in the meantime they have lost out financially. Jonny Clark of YWAM says that the experience was horrendous with the main frustration being the inflexibility of the system. They were left with no options.

Dr David Stevens, Leader of the Corrymeela Community, says that while they have successfully negotiated the 'huge bureaucratic hassle',

'The danger is that small organisations will not be able to meet the demands of the legislation and therefore won't be able to have international volunteers.'

The student visa process has caused discomfort in university circles because

- overseas nationals from outside of the EEA are forced to negotiate a series of hurdles in a way that is discriminatory.
- foreign students are being used as guinea pigs for an unpopular ID card scheme.
- university staff are being asked to monitor compliance, without prior agreement, as if they were part of the UK Borders Agency.

See University and College Union
<http://www.ucu.org.uk/index.cfm?articleid=3698>
and http://www.ucu.org.uk/media/pdf/fq/3/PBS_briefing_final_v2.pdf

ID CARDS FOR FOREIGN STUDENTS

It was announced in November 2008 that the first compulsory ID cards in the UK since the post-war period, would be issued to foreign students and people renewing their visas on the basis of marriage. Applicants are photographed and fingerprinted. The details on the card indicate whether a person is entitled to access state benefits and services. (From March 2009 the categories of people requiring ID cards have been extended and the Home Office expects that by 2015 90% of nationals from outside the EEA will have cards.)

Visas with cards cost between **£295** and **£500**. Those renewing marriage visas will be charged between **£395** and **£595**. If the card is lost there will be a **£30** charge for a new one.

<http://www.timesonline.co.uk/tol/news/politics/article5225907.ece>

THE COST OF BEING A MIGRANT

These are some of the costs involved:

Visas

Visa fees vary depending on country of origin and duration of stay but these are some examples: **£67** for short-term visitors; **£215** for migrant workers and other long-term entrants, **£515** for the family members of settled migrants; and **£600** for entrepreneurs or highly-skilled migrants. <http://www.ukvisas.gov.uk/en/howtoapply/visafees/>

UK Border Agency visa site: <http://www.ukvisas.gov.uk/en/>

For the latest list of fees see <http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/newfeesfrom060409>

Student Identity Cards

See above. Visas plus cards cost between **£295** and **£500**. Failure to comply or having any false details on the card (such as failing to inform about a change of name on marriage) will result in penalty charges of between **£125** and **£1,000**. A replacement card costs **£30**.

Residency/ Indefinite Leave to Remain

The application fee for this has been raised to **£820** for a postal application and **£1020** at a public enquiry office.

Application for Nationality

£640

Registering Nationality

£460

Marriage Certificate of Approval

Unless they are marrying in the Church of England, some immigrants have to pay **£295**, before they are allowed to marry. (See below.)

Workers Registration Fee

Workers from the A8 accession states have to pay a **£90** registration fee. (See page 11.)

Migrant levy

People moving to the UK to work or study have been told that they will have to pay an extra **£50** for their visas, in a two-year scheme aimed at helping local councils to cope with increased demands on their services.

http://news.bbc.co.uk/1/hi/uk_politics/7951721.stm

For individual migrants there are additional costs.

Before coming here a Filipino nurse for example, would have to spend **£700+** to complete the requirements of the Overseas Nursing Programme. Once here, there is an annual registration fee of **£76** with the Nursing and Midwifery Council.

THE RIGHT TO MARRY

Immigrants from outside the European Economic Area are required to obtain a Certificate of Approval from the Secretary of State, at a cost of **£295**, before they are allowed to marry unless they marry in a Church of England church. The Law Centre NI currently has a case before the European Court of Human Rights that argues that this amounts to a violation of a fundamental human right. The scheme is discriminatory as well as expensive, as it does not apply to marriages according to Church of England rites, although this anomaly may be removed soon. The Home Office has announced recently that it will suspend the **£295** fee, however, the matter has yet to be finally determined.

To read more about the Law Centre NI case see

<http://www.bailii.org/eu/cases/ECHR/2008/1574.html>

CRITICISM OF THE BORDERS, CITIZENSHIP AND IMMIGRATION BILL 2009

The last decade has seen a procession of Acts of Parliament relating to immigration. The government has stated its intention to produce an **Immigration Simplification Bill** within this parliamentary session, which will consolidate the existing piecemeal legislation.

However, the **Borders, Citizenship and Immigration Bill 2009**, currently passing through the House of Lords, will expand upon existing legislation. This Bill contains worrying aspects, including the provision for secondary legislation and an increase in the powers of the Secretary of State. The Bill also increases the powers of immigration officers who will now have similar powers to the police but without being required to be subject to **Police and Criminal Evidence Act (PACE)** safeguards or oversight. For a full Law Centre NI briefing on the Borders, Citizenship and Immigration Bill February 2009 see

<http://www.lawcentreni.org/Policy/Briefing%20papers/borders.htm>

The main worries about the Borders, Citizenship and Immigration Bill are the following:

Citizenship

The Bill proposes a new **Pathway to Citizenship**, which will extend the amount of time it takes for an immigrant to obtain British citizenship and will place additional duties on applicants. EMBRACE has heard concerns about this by established migrants who are currently fulfilling valuable roles in the workplace and community. The concepts of 'earned' and 'probationary' citizenship further extend the length of time when migrants feel insecure, and the increased duties, such as volunteering, will be imposed without any enhanced rights or entitlements. The immigration law barrister, Frances Webber, responding to the draft Bill has said:

'What is clear is that the minimum periods of stay in the UK before being eligible for citizenship have all been increased from the current statutory periods (three years for spouses of British citizens and five years for everyone else). Some candidates will have to wait for eight years, and even those who volunteer for 'prescribed activity' have a qualifying period of six years if they do not have a British partner or family member. Additionally, the proposal suggests that unemployment and relationship breakdown will lead not only to refusal of citizenship, but also to removal. It will be far more difficult to get permanent stay in the country without citizenship – the alternatives will generally be either to qualify for citizenship, or be booted out. While waiting for citizenship, candidates will not be able to apply for benefits or social housing.'

Frances Webber, published by Institute of Race Relations (IRR) 4 December 2008

<http://www.justiceandpeacescotland.org.uk/articles/article164.shtml>

Katrina Albarico of the Filipino Group within the Parish Pastoral Council of St Colmcille's church in Ballyhackamore, Belfast, has spoken about these concerns.

'As one of the migrants who became affected when the rule for residency was changed retrospectively from four to five years in 2005, I strongly feel for the ones who have to face harsher and constantly evolving rules as it is now.'

The public service union **UNISON** and the **Joint Council for the Welfare of Migrants (JCWM)** have been running a petition on this issue. In February 2009 the **Institute for Public Policy Research (IPPR)** warned that the recession could be longer and deeper if Government plans to restrict immigration are implemented. It is felt that restricting migrants who fill skills gaps, or take jobs which local people will not do, will damage the economy. It also criticized aspects of the proposal to end the automatic right to stay after five years' residence and replace it with 'earned citizenship'. The IPPR claims that the number of people coming to Britain for work will reduce 'naturally' as the economy slows and more could be put off by the new proposals. Tim Finch, of the IPPR migration team, said,

'Migrants become easy targets at times of economic difficulty but introducing yet more tough measures to exclude people could damage our prospects for economic recovery.' ... 'As it stands, the Borders, Immigration and Citizenship Bill could deter migrants who are in high demand and who are essential for our economy.'

He called for a 'clear' and 'flexible' system for earned citizenship and said it could be unfair to deny benefits to migrants who are working and paying taxes. To read more see <http://www.relocatemagazine.com/index.php/relocation-news-blog-format/13-immigration-a-visas-news/469-think-tank-criticizes-government-bill-on-immigration-restrictions>

The Future of the Common Travel Area

The **Common Travel Area (CTA)** is essentially a free movement area between the UK, Republic of Ireland, the Channel Islands and the Isle of Man. Since the 1920s, with the exception of the Second World War, the CTA has been in existence, allowing people arriving in the UK by sea or air, to travel to the Irish Republic without being subject to immigration controls. Clause 46 of the Borders, Citizenship and Immigration Bill 2009 will effectively end this arrangement and introduce controls at ports and airports, with the additional expressed intention to increase the number of ad-hoc checks at the border. The government has given little clear reason for these changes other than citing the greatly increased numbers of people who travel today. These new arrangements appear to be incompatible with the Belfast Agreements and with the good-neighbourliness that all parties would like to see between the Republic of Ireland and Northern Ireland.

In March 2009, Northern Ireland Human Rights Commission, Chief Commissioner Monica McWilliams stated that

'The Human Rights Commission is extremely concerned that the proposed land border checks could lead to racial profiling and as a result impact significantly on minority ethnic persons, crossing or just living or working near the land border. As these measures could lead to ethnic minorities having constantly to carry identity papers or face frequent questioning regarding their status and, potentially, detention.'

<http://www.statewatch.org/news/2009/mar/uk-nihrc-border-checks-prel.pdf>

Living with the Border

The CTA, in its present form, is already complicated for some people, as the arrangements do not enable visa nationals (people who require a visa to enter the UK or RoI) to travel freely across the border. Local people are often unaware that permission to enter one part of the island does not always confer the right to travel across the border, and many people who have crossed innocently are turned back or subject to detention or removal. A number of organisations (such as the Immigrant Council of Ireland and the Law Centre NI) would like to see common visa arrangements. Unless we can develop a more sympathetic common approach to the regulation of immigration throughout the island of Ireland, the border will continue to have negative consequences on both residents and migrants, and a detrimental impact on tourism. These are some examples of the problems that arise:

- Minority ethnic Derry GAA supporters have been removed from buses going to matches in Croke Park.
- The Christian group, SPIRASI, which works with survivors of torture in the Republic of Ireland has had difficulty bringing people from Donegal to its Dublin centre. As the law stands people need permission to undertake the bus journey of 7 hours because the bus goes from Donegal via Enniskillen to Dublin.
- A Corrymeela Community volunteer from South America who was invited to spend a social weekend in Dublin was stopped on the journey and returned to Belfast where she found herself alone at Central Station late in the evening.

The Home Office, in response to public consultation, already concedes the potential benefits of a common approach:

‘The Government agrees that a common visa with the Republic of Ireland would be beneficial to the tourism industry and will continue to work with the Republic of Ireland on this proposal.’

Home Office UK Border Agency *Strengthening the Common Travel Area Government Response to the Public Consultation*, 15 January 2009
www.statewatch.org/news/2009/jan/uk-ireland-consult-response.pdf

Border areas already experience high levels of social exclusion and a ‘grey economy’ that allows employers to exploit irregular migrants more easily.

The Bishop of Lincoln, Rt Revd Dr John Saxbee, during the Committee Stage in the House of Lords on 11 February 2009, said that he believed that most people would prefer to be debating a Bill driven by the ‘spirit of hospitality’ which saw borders as meeting places rather than barriers. He was referring to potential migrant workers but his words are equally appropriate to visitors. Read his speech at

http://www.publications.parliament.uk/pa/ld200809/ldhansrd/ldallfiles/peers/lord_hansard_1503_od.html

Trafficking

(See *Embracing Diversity: Information Update 2008* pages 16–18)

‘People who used to move drugs around now move people around.’

Phil Taylor, Scotland and Northern Ireland Regional Director, UKBA,
speaking at NIHRC Conference, Belfast, 20 April 2009.

Police Raids Rescue Trafficked People

(See *Embracing Diversity: Information Update 2008* pages 17 re Pentameter 2)

In a series of raids, in July 2008, five people were rescued from suspected sex and slavery traffickers in Northern Ireland. Six people were arrested, suspected of controlling prostitution and people smuggling within the UK. Money was also confiscated. The raids were part of the, now completed, UK-wide police operation Pentameter 2, aimed at criminals selling victims for sex or forced labour. Chair of the Organised Crime Task Force, Paul Goggins MP said

‘The law enforcement agencies in Northern Ireland are committed to working hard to stop the horror of human trafficking for sexual and other types of exploitation. While the numbers are relatively low compared to the rest of the UK, any incidence of this type of crime is one too many because of the brutality, misery and suffering it causes to innocent victims.’

However Marie Brown of Foyle Women’s Aid complained of the difficulty of supporting rescued women because of the lack of funds.

‘There are women from ethnic minority backgrounds who may not have come in trafficked but ended up being trafficked and have had to return back to situations (of threat) because we find them very difficult to support.’

<http://www.irishtimes.com/newspaper/breaking/2008/0702/breaking56.htm>

Monica McWilliams, Chief Commissioner of the Northern Ireland Human Rights Commission, also complained in October that there was an urgent need for an adequate system of safety and support (See also page 11 about the link between destitution and immigration status.)

http://www.nihrc.org/index.php?page=press_news_details&category_id=2&press_id=360&itemid=65

On 3 December 2008 Paul Goggins, welcomed another operation against human trafficking. He said:

‘This operation demonstrates that law enforcement agencies from different jurisdictions are working as one to combat the threat from organised crime. These crime gangs are created to make money and they view the people they traffic as mere commodities to be traded and sold for profit. Human trafficking is a serious crime which destroys lives and we will continue to work together to bring those involved in this heinous activity before the courts.’

Disturbingly, however, there were press reports that the four rescued victims had disappeared after making police statements. Anna Lo, MLA, said: ‘These women were here illegally so they had no recourse to public funds,

they did not know anyone and they spoke very little English.' The PSNI Superintendent, Essie Adair who had been in charge of the operation also said that proper refuges were needed urgently. The women were reported to be from Nigeria, Brazil and Namibia.

Philip Bradfield in the Newsletter, 5 December 2008

<http://www.newsletter.co.uk/news/Human-trafficking-victims-39disappear39-after.4764843.jp>

The UK ratified the UN Convention Against Human Trafficking on 17 December 2008. This should mean the following

- a new national referral mechanism, providing a nationally agreed process to help frontline staff identify victims of trafficking and offer them support
- strengthened arrangements for looking after victims, including a 45 day reflection and recovery period, and the possibility of a one-year residence permit for victims
- better support for victims in giving information to police, which will help authorities bring those who exploit them to justice

<http://press.homeoffice.gov.uk/press-releases/government-ratifies-convention>

New PSNI Support Services

On 25 March 2009 Paul Goggins (speaking on this occasion as NI Security Minister) announced the launch of new support services stating that we were 'no longer immune from the vile crime of human trafficking.' Assistant Chief Constable Drew Harris said traffickers were targeting 'females in sub-Saharan Africa, Eastern Europe or the Far East with the promise of a far better life'.

Read more at http://news.bbc.co.uk/1/hi/northern_ireland/7962465.stm

The new unit has as its priorities the rescue of trafficked people and the successful prosecution of criminals who are guilty of crimes involving sexual exploitation, domestic servitude and forced labour. Since it began its work on 1 April, at least one person has already been referred to one of the organisations subcontracted to look after the wellbeing of rescued people, while the National Referral Centre in Sheffield verifies whether there are reasonable grounds to believe that they are victims of trafficking. 'Victim status' enables the person to be given a period of 45 days for recovery and reflection, before they are expected to co-operate with the authorities. During this period the Northern Ireland Office will fund people, and if they are found to be victims of trafficking they will be given a full year's residency during which they will be entitled to full benefits. These developments are very positive but the 45-day period for reflection is woefully short for people who may be severely traumatized.

Specialist PSNI officers have been trained to debrief rescued people and all front line police officers will also be trained to recognise the key indicators that people may have been exploited. UKBA immigration officers ought also to be able to identify cases and refer people to the National Referral Centre. It would be helpful if others who come in contact with foreign nationals here could also receive training to help them become more aware of the signs that people may be victims of trafficking. This might include people such as clergy and pastoral workers, advice workers, teachers etc.

Women's Aid Federation Northern Ireland will look after adult female victims of sexual trafficking recovered here and Migrant Helpline will look after adult male victims of sexual trafficking and all victims of labour trafficking. To read more see

<http://www.nio.gov.uk/goggins-announces-extensive-new-support-services-for-victims-of-human-trafficking/media-detail.htm?newsID=15921>

Migrant Helpline is an English-based charity that provides help to migrants, refugees and people seeking asylum in distress. It is partly funded by the Home Office.

<http://www.migranthepline.org.uk/>

Support Leaflet for Trafficked People

The **Law Centre NI** has published a leaflet that explains to trafficked people how the Centre can help them. At the launch, Law Centre director Les Allamby said

'Trafficking by its nature is an underground activity. Our own work shows that it is becoming more prevalent in Northern Ireland. Trafficking is a modern day slave trade with people forced into slave labour and sexual exploitation.'

The leaflet, **Exploited**, includes information in English, Albanian, Brazilian Portuguese, Czech, French, Lithuanian, Malaysian, Mandarin, Portuguese, Romanian, Russian and Thai. This choice of languages reflects the countries of origin of people who have been trafficked here. Help can be accessed via the helplines **Belfast (028) 9024 4401** and **Derry (028) 7126 2433**.

See also

House of Commons Library, Standard Note SN/HA/4324, 30 January 2009, *Human Trafficking: UK Responses* <http://www.parliament.uk/commons/lib/research/briefings/snha-03753.pdf>

In April 2009 research commissioned by the **Immigrant Council of Ireland (ICI)** indicated that in the previous two years over 100 women had been trafficked into or through the Republic of Ireland for the purposes of sexual exploitation. See:

http://www.immigrantcouncil.ie/press_detail.php?id=90

People seeking Asylum and Refugees

(See *Embracing Diversity: Information Update 2008* pages 25–32.)

‘An excellent way to celebrate the [60th] anniversary of the Universal Declaration would be to launch a sustained discussion about how to protect the fundamental human rights of the 45 million people displaced from their homes today. The growth and development in the church’s stance on human rights could enable it to make a modest but serious contribution to the discussion and to the action required.’

An Advocate for All:

How the Catholic Church promotes human dignity

By David Hollenbach SJ, 1 December 2008

http://www.bc.edu/bc_org/lrvp/pubaf/08/America_HollenbachDec08.pdf

Overall asylum applications in the UK were 10% higher in 2008 at 25,670 than the year before, however, this is considerably less than the peak of 84,130 in 2002. There was a 5% increase in removals and voluntary departures compared to 2007, with 66,275 leaving the UK that way. There were signs that numbers were reducing slightly in the last quarter of 2008. There was also a 27% fall in the number of asylum seekers in receipt of government support in the final quarter of 2008, from 44,495 to 32,580.

There was a worrying increase in the number of failed asylum applicants who had to be given emergency help with food and accommodation. There were 2,580 people who had to be assisted in the final quarter of 2008, 63% more than in the same quarter in 2007.

http://news.bbc.co.uk/1/hi/uk_politics/7906277.stm

CRITICISM OF UK ASYLUM SYSTEM CONTINUES

The **Independent Asylum Commission (IAC)** has produced three reports on the asylum process. The final one, *Deserving Dignity: How to Improve the Way We Treat People Seeking Sanctuary* was published in July 2008. It repeats the findings of the earlier reports but also contains the response of the UK Border Agency and final recommendations, which include the following. They would like to see an end to detention, especially of children, but if it remains, it should have the basic safeguards that apply in the criminal system. Those whose claims are not resolved within six months should be allowed to support themselves by working. There are also major concerns about medical care and the treatment of the survivors of torture, sexual abuse and other forms of torture.

In comments about the report, Co-Chair of the IAC and former High Court Judge, Sir John Waite, said:

‘All those who seek sanctuary in the UK deserve to be treated with a dignity over which mere administrative convenience must never prevail. The people we met during our review were not the scroungers, trouble makers and ne’er-do-wells that are presented to us in media stereotypes, but decent people trying to maintain their dignity in difficult circumstances.’

The way we treat the most vulnerable in our midst is a true gauge of our values as a nation and a people. The public rightly expects fair and humane treatment of asylum seekers, befitting of a civilised society. Our review has found that there is a considerable distance to travel until the reality of how we treat women, children and torture survivors who seek sanctuary in the UK matches that aspiration.'

See <http://uk.oneworld.net/article/view/160820/115795>

Download the report at <http://www.independentasylumcommission.org.uk/files/10.07.08.pdf>. To request a hard copy, email chris@cof.org.uk.

Also in July, a UN Human Rights Committee report asked the UK to review its detention policy for people seeking asylum, especially where children are affected, and seek alternatives, and of our local situation: 'It should provide appropriate detention facilities in Northern Ireland for persons facing deportation.'

See: <http://www.equalityhumanrights.com/en/policyresearch/hcrsubmissions/Pages/CommitteereportonUKperformance.aspx>

And full report:

<http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC.C.OPAC.GBR.CO.1.pdf>

VULNERABLE WOMEN AND SEXUAL VIOLENCE

The Refugee Council's Vulnerable Women's Project working with women claiming asylum in the UK uncovered this evidence which was published in London in February 2009.

- 76% had been raped, either in their country of origin or the UK
- 76% were experiencing trauma-related psychological distress
- 35% had suffered some form of violence
- 27% had physical injuries
- 22% had been sexually abused
- 20% had gynaecological problems as a result of their experiences.
- 15% had become pregnant as a result of being raped
- 9% had been threatened with rape or sexual abuse while in detention in their country of origin
- 5 % had had a child as a result of being raped

The most disturbing facts to emerge, show that women continue to suffer in the UK. Donna Covey of the Refugee Council said.

'They struggle to tell their stories, many have their claims for asylum rejected, and many end up sleeping rough or forced to rely on others. As a result, some women end up experiencing sexual violence here, the place they thought they would be safe, either by entering into sexually abusive relationships to get food and shelter or by ending up in such precarious situations that they are acutely vulnerable to rape and sexual assault.'

Both reports can be accessed here

http://www.refugeecouncil.org.uk/policy/position/2009/vulnerable_women/

(For destitution locally at the end of the asylum process, see also page 27.)

No free health care for failed asylum applicants

On 30 March 2009 judges in the Court of Appeal decided that failed asylum applicants were not entitled to free treatment on the NHS, which should be reserved for people ordinarily resident in the UK for at least a year. However, it is at the discretion of hospitals to continue to give free treatment to those who are destitute.

In response to the ruling that it would be unlawful to deny life-saving treatment, Donna Covey of the Refugee Council hoped that the Government would reduce the inhumanity of the charging regime. To read more see:

<http://www.google.com/hostednews/ukpress/article/ALeqM5j-tzI6jiBR-gCIQvNtumltinGUDw>

<http://www.refugeecouncil.org.uk/news/press/2009/march/20090330.htm>

Numbers of People Applying for Asylum Locally

There were 194 applications for asylum in Northern Ireland in the period from April 2008 to the end of March 2009. These included 164 single people and 30 families, 146 male applicants and 48 females. The main countries of origin were Somalia, China, Zimbabwe and Kuwait.

Northern Ireland Community of Refugees and Asylum Seekers (NICRAS)

(See *Embracing Diversity: Information Update 2008* pages 32 and 54)

NICRAS has developed from its beginnings as a small voluntary mutual support organisation. They now have funding to provide advice to refugees and people seeking asylum, and training to raise consciousness about refugees and refugee issues. Around 150 families are involved in the organisation, and even when they have refugee status they still need support from NICRAS in accessing services, learning English and integrating here. The NICRAS youth project involves a Youth Group and homework classes, with tuition. There is also a Women's Group and the Drop-In continues on Thursdays. NICRAS also provides free English classes with a free crèche for the children. NICRAS has a new **Emergency Out of Hours Number: 0785 502 5452** and they advise:

'If you think you are at risk of being detained, try to find someone locally who can come to your house quickly if Immigration Officers arrive at your home. This will make sure there is an independent witness who can check that procedures are followed properly. If you are signing at a Police Station you can arrange to phone a friend when you go in and when you come out. This means someone will know if you have been held at the police station. If you are detained, NICRAS will try to contact your solicitor and a friend. If you have been taken to Scotland or England, NICRAS may be able to help to put you in contact with organisations who can advise you.' *NICRAS Newsletter*, March 2009.

NICRAS has also negotiated with the Immigration Service so that detainees' possessions can be forwarded to them in detention.

Red Cross International Tracing and Messaging Service

People who have moved from another country often lose contact with family and friends, especially if they have had to flee because of war or disaster. The British Red Cross can help people to get back in contact. Speak to Neil McKittrick, British Red Cross, Belfast, on (028) 9073 5350 or visit www.redcross.org.uk.

PROBLEMS FOR PEOPLE SEEKING ASYLUM HERE

Some people who have sought asylum here have been given positive decisions quite quickly but, in spite of the **New Asylum Model** (See *Embracing Diversity: Information Update 2008* pages 29–30), some people still experience delays in having their applications processed. Some also experience delays in receiving their status papers even after they have been acknowledged as refugees.

Destitution is still the most difficult issue for people seeking asylum. They are prohibited from working and have very limited access to welfare support. Most people are entitled to receive full Home Office cash support if they make a prompt claim for asylum. If the application is refused, the person is no longer eligible for full cash support. Refused asylum applicants may be eligible for a reduced payment called **Section 4** support or **Hard Case** support. This consists of accommodation and vouchers of a value of £35. To be eligible for this a person must normally demonstrate that s/he is destitute and is willing to return to their country of origin. Section 4 support is extremely difficult for refused asylum claimants as there is no cash payment at all. Vouchers must be spent in specific shops and no change is given. This means that they may be effectively prohibited from using public transport, making telephone calls, etc. NICRAS has highlighted particular difficulties of such people in being able to access schools or colleges.

A Refugee Council research report by Lisa Doyle, published in October 2008, *More Token Gestures: A Report into the Use of Vouchers for Asylum Seekers Claiming Section 4 Support*, concludes that it is impossible to live without cash, and that the system is punitive and inhumane. Isolation is a big factor, as the vouchers cannot be used for transport. Doctors report catastrophic weight loss in some cases. To read the full report see

http://www.refugeecouncil.org.uk/Resources/Refugee%20Council/downloads/researchreports/Section4VouchersReport_2.pdf

The British Red Cross and the Refugee Survival Trust (RST), a charity which supports destitute asylum applicants in Scotland, published their joint research in January 2009. The report, *21 Days Later*, charts the effects of Section 4 payments in Scotland. The title indicates the length of time that people are given to leave the country after their claims are rejected. They describe a process where people are destitute (on arrival) and move through the confusion of the application process back to destitution again if their claim is refused. Since 2003 the RST has had to give grants to over 3000 destitute people. Disturbingly, they have had to support some people who were entitled to benefits but where the system had failed. They also describe the difficulties of successful asylum applicants when they try to move from asylum support to mainstream benefits. See <http://www.redcross.org.uk/news.asp?id=90673>.

The NI Human Rights Commission research on the human rights implications here of destitution among people whose benefit entitlements depend on their immigration status rather than their needs is due to be published in June. Look out for it on www.nihrc.org.

The Enforcement of Immigration Legislation

(See *Embracing Diversity: Information Update 2008* pages 33–35)

‘I just wanted to take my Bible, but they didn’t let me.’

A detainee interviewed by NI Human Rights Commission researchers,
Our Hidden Borders: The UK Border Agency’s Powers of Detention, page 52.

The enforcement of immigration controls, at our ports, airports and the border, through **Operation Gull**, the joint PSNI, Garda Síochána and UK Borders Agency (UKBA) operation, continues to cause concern. The legal basis for this operation, information about the numbers of people, and the processes involved, are all unclear. Hundreds of people have been apprehended since 2005 (the recent annual total is believed to be around 600) and detained in GB prior to removal from the country. In addition, because some immigration infringements are now criminal offences, increasing numbers of foreign nationals in the Northern Ireland prison system are there because of offences such as the carrying of irregular documentation. There is no independent oversight of this operation, people may not always have timely access to legal representation, and it is widely suspected that people are targeted because of their ethnicity. A number of people have had to be compensated because of errors committed in the detention of innocent visitors.

Jamiu Omikunle, a Nigerian Student was detained at Aldergrove on his way from London to Belfast to act as godfather at a baptism. He was awarded £20,000 in February 2009 following his unlawful detention in Dungavel Immigration Removal Centre in Scotland. This is not an isolated case. See Eamon McCann, ‘Why some deportations are a black and white issue’, *Belfast Telegraph*, 12 February 2009.

<http://www.belfasttelegraph.co.uk/opinion/columnists/eamon-mccann/eamon-mccann-why-some-deportations-are-a-black-and-white-issue-14184389.html>

For another article on Operation Gull, by sociologist Dr Chris Gilligan, stimulated by his experience of seeing immigration officials challenging a woman in the port of Belfast, March 2009, see <http://www.indymedia.ie/article/91584>.

People in the Republic of Ireland also have concerns. The Immigrant Council of Ireland (ICI) has commented on the negative effect on Ireland’s reputation because of the heavy-handed treatment of tourist visitors by immigration officers. They called for independent oversight on 22 September 2008. See Immigrant Council of Ireland press release 22 September 2008: http://www.immigrantcouncil.ie/press_detail.php?id=76

For other concerns about Operation Gull see Law Centre (NI) briefing, July 2007:

http://www.lawcentreni.org/Policy/Briefing%20papers/operation_gull.htm.

In April 2009 The Northern Ireland Human Rights Commission published the results of research on the application of immigration legislation here,

Our Hidden Borders: The UK Border Agency's Powers of Detention. This was launched at their conference on 20 April, Humans Without Rights: the Implications of Immigration Law, Policy and Practice. Researchers Dr Nazia Latif and Agnieszka Martynowicz examined the way Operation Gull operates, and the day-to-day interviewing of people in their homes and workplaces. They call this 'traditional enforcement'. What emerges is a disturbing picture. These are some of the findings.

- Too much discretion within domestic legislation leaves the risk of arbitrary detention.
- More human rights training is required for PSNI and immigration officers.
- Magistrates issuing warrants in 'traditional enforcement' operations need training in human rights and immigration law.
- There is serious concern about how immigration officers engage with people and arrive at their recommendations to detain.
- There is inconsistent practice in informing people about their right to legal advice.
- The overwhelming majority of detainees were confused as to why they were detained, and had not been given clear information.
- Access to interpreters was sometimes determined by cost.

The report contains moving life stories of migrants and people who have sought asylum here, and the life changing effects of decisions made by immigration officers. The report emphasises the importance of challenging myths and popular discourse, and quotes one immigration officer who expressed the view that 'Whatever the Daily Mail and Star have a rant about is what gets listened to.'

At the conference, the Regional Director of the Border and Immigration Agency for Scotland and Northern Ireland, Phil Taylor, welcomed the report, and hoped to be able to respond to some aspects of it quickly.

NIHRC Chief Commissioner, Monica McWilliams, stated:

'Individuals who are not nationals of the UK are particularly vulnerable to breaches of their human rights. Language barriers and a lack of accessible information on rights can exacerbate these vulnerabilities. When those individuals are, as is current practice, detained by state agencies the need for independent inspection and oversight is crucial...'

The Commission feels that if detention must be used as a last resort, there should be a local detention facility rather than the temporary use of police cells. 'Dawn raids' should cease immediately.

http://www.nihrc.org/index.php?page=press_news_details&category_id=2&press_id=382&itemid=65?

Read the full report at

[http://www.nihrc.org/dms/data/NIHRC/attachments/dd/files/109/Our_Hidden_Borders_immigration_report_\(April_2009\).pdf](http://www.nihrc.org/dms/data/NIHRC/attachments/dd/files/109/Our_Hidden_Borders_immigration_report_(April_2009).pdf)

New Belfast Immigration Enquiry and Enforcement Centre

(See Embracing Diversity: Information Update 2008 page 34)

The latest news about the **UK Border Agency Immigration Enforcement Centre** is that it will also deal with enquiries from the public, and be situated at Forrestside in South Belfast. The enforcement team and public enquiry office will employ around 70 UK Border Agency (UKBA) staff. It is understood that 14-20 cells in Larne PSNI station, Co. Antrim, will also be available to hold detainees on a short-term basis prior to their removal. One other police station may also be used as a temporary holding centre.

RAG Advice Pack and Volunteer Helpline

The Refugee Action Group (RAG) launched an **Information Pack for Asylum Seekers Facing Detention** at Stormont on 17 June 2008. The document contains advice on rights, preparation for sudden detention and information to assist individuals and groups who are supporting detainees. It is available from organisations such as the Law Centre, NICRAS and EMBRACE and can also be downloaded:

<http://www.mcrc-ni.org/images/stories/RAG%20Briefing%20for%20Asylum-Seekers%20in%20NI.pdf>.

RAG is also looking for people to take their turn as helpline volunteers for an out-of hours phone line to assist people who are stopped and detained by the immigration officials during the hours when solicitors' offices and advice centres are closed. Training will be supplied. The helpline rota will ensure that people do not slip out of contact with friends or legal advisors and will also provide information that is presently impossible to obtain, about people being detained. If you want to volunteer, contact EMBRACE on info@embraceni.org.

European Churches Comment on Detention

In March 2009 the organisations within the **Churches' Commission for Migrants in Europe** commented on proposed changes to European immigration legislation and specifically called on countries to ensure that people seeking asylum are not detained just because they are applicants for asylum, and that if detention is used as a last resort, people should have access to legal representation, their families and relevant support organisations. They also asked that EU states honour their obligation to provide adequate asylum reception and procedural conditions.

See <http://www.ccme.be/secretary/NEWS/Migrant%20Christians%20Participation%20in%20European%20Churches.pdf>

Foreign Prisoners

The increased numbers of people from other countries who visit or live here has inevitably brought about an increase in foreign national prisoners in our jails. During last year there were a number of drugs raids on houses and this resulted in a number of Chinese people ending up in the prison system. The higher population also contains some people who are there because some immigration offences are now criminal offences. (See page 28.) Some are held because of charges that they were travelling on false documentation. In April 2009 for example, in just one of our prisons, Hydebank Young Offenders Centre (which also houses adult women), there

were 13 women and 6 young men from other countries. Six of the women were Chinese, the others being Dutch, Polish and Nigerian. The young men were from Argentina, China, Liberia and Mauritius.

For these prisoners, and the staff looking after them, there are all sorts of difficulties, from language, food, isolation from family and friends, to the difficulty in finding solicitors who are experienced in both criminal and immigration law.

‘Remote Controls’

Most of us are unaware that the UK Border Agency employs around 9000 people outside this country. In 2008 the GB-based Refugee Council published a report, **Remote Controls: how UK border controls are endangering the lives of refugees**, which you can read at http://www.refugeecouncil.org.uk/policy/position/2008/remotecocontrols/remot_controls_report.htm

They fear that the drop in applications for asylum in the UK over recent years may mean that some people are not getting the chance to seek asylum. Border controls may now well be in the country of origin of would be refugees.

Racism

Crime statistics 1 April 2007–31 March 2008

This reporting period shows the first drop in racially motivated hate crimes recorded by the PSNI. The total was slightly down from 1,047 in 2006/7 to 976 in 2007/8. Unfortunately the overall clearance rate was also slightly down at 11.4% compared to 13.4% in the previous year.

Violent crime was 37.4% of all racist crimes with burglary, theft and criminal damage making up 68.4%. There were no murders, manslaughters or attempted murders.

http://www.psnipolice.uk/3_hate_incidents_and_crimes_2007-08.pdf

These statistics all relate to individual people. For example, in June 2008 a Bulgarian man, Michael Sotirov spoke out after the third attack on his restaurant in Bushmills, Co. Antrim, which employed 40 people at that time.

‘I think I’m going to leave because that’s not the place I want to live.’ ...

‘At the time I decided to come here I was very happy and everything was going nice, but I have two kids as well and they’re not happy at all, my wife’s not happy – she can’t sleep at night – we’re all scared now, we can’t really live this life anymore.’

Read more http://news.bbc.co.uk/1/hi/northern_ireland/7476929.stm

There were complaints that loyalists distributed British National Party (BNP) leaflets in north Antrim around the time of earlier attacks on foreign people. The BNP say that they have distributed several thousand pieces of literature in Mid Ulster in February this year. They claim that Mid Ulster was chosen because it has the largest population of migrant workers and asylum seekers in Northern Ireland. (Migrant workers certainly, but the statement about asylum seekers is misleading as most of the small number of people in the asylum claim process live in the Belfast area.)

Kieran Dinsmore of the BNP said

‘As the current economic situation continues to bite deeper into people’s pockets, folk are now beginning to take an interest in a variety of issues which only a year ago would not have seemed that important to them. These issues include rising unemployment, lack of housing and health care provision, which is well and truly creaking under the pressure of numbers.’

<http://bnp.org.uk/2009/02/bnp-northern-ireland-launches-2009-leafleting-campaign/>

The dangerous implication is that migrant workers have caused the problems rather than the international economic crisis.

Football Violence Results in a Backlash

The potential for violence sometimes lies just below the surface. A football World Cup qualifying match between Northern Ireland and Poland in March 2009 was marred by violence, mostly, but not entirely, by Polish fans. Afterwards a number of homes in the South Belfast Village area were damaged, apparently in revenge attacks against Polish people. Windows

were smashed and at least one door was kicked in, leaving people who had lived in relative peace for some years fearful. A number left the area. The people whose homes were attacked included at least one Slovakian man, a Slovenian woman, a number of Hungarian men, and a French woman who is reported as saying 'We don't want it to stop us living here.' The positive side to this story is that there are people in the area who pull the community together. (See also page 36 on the South Belfast Round Table.) Community representative Heather Calvert said she and others were trying to keep the area calm.

'The residents of this area are up in arms. The ordinary Polish people living in this area are paying the price for these football hooligans who are causing mayhem. That's the price this community has to pay.'

Belfast Telegraph 30 March 2009

<http://www.belfasttelegraph.co.uk/news/local-national/racially-motivated-attacks-leave-foreign-nationals-feeling-terrified-14248309.html>

On rebuilding relationships see also the *Community Telegraph*, 1 April 2009

<http://www.belfasttelegraph.co.uk/community-telegraph/south-belfast/community-looks-to-rebuild-relations-14252390.html>

The white working class; Britain's forgotten race victims?

The Runnymede Trust has published a new study on the white working class and ethnic diversity in Britain. The report, *Who Cares about the White Working Class?*, disputes the claim that white working class communities have been directly losing out to migrants and minority ethnic groups, and concludes that the white working class are discriminated against on a range of different fronts, but not because they are white.

<http://newmigrant.wordpress.com/2009/02/07/is-it-because-im-white-or-because-im-working-class/>

The Official Response

STRATEGY DELAYS AT STORMONT

(See *Embracing Diversity: Information Update 2008* pages 43–4)

It was announced in January 2008 that the **Office of the First and Deputy First Minister (OFMDFM)** was developing a **Programme of Cohesion Sharing and Integration**. However, the consultation document has yet to be published and it is disappointing that it has not been given priority. Meanwhile some departments are working on integration. For example, OFMDFM administers a Minority Ethnic Development Fund of £1million and on 19 April 2009, at the Festival of India at St George's Market, Belfast, distribution of that funding to around 30 groups was announced. The organisations to be supported include Travellers support groups, Ballymena Inter-Ethnic Forum, the Belfast Islamic Centre, the Belfast Jewish Community, Chinese Welfare Association, GEMS' Minority Ethnic Employment Support Project, the Indian Community Centre, Multi-Cultural Resource Centre, NICRAS, NICE, the Polish Association NI, STEP, and others. St Patrick's Conference, St Vincent de Paul, Armagh was awarded £15,000 to continue their language and computer classes for minority ethnic people; their information service; and their youth in drama and arts classes, which bring local people and minority ethnic people together.

The **Department of Employment and Learning (DEL)** continues to steer a Migrant Worker Thematic Group that allows relevant bodies to network and has been looking at research and data gathering and information. DEL has developed good practice guidelines on the use of interpreters and is working on guidelines on the use of translators. The Northern Ireland Office Community Safety Unit has helped to find local community safety initiatives, for example the production of a Racism Ruins Lives CD in Craigavon, in October 2008. See <http://www.nio.gov.uk/racism-ruins-lives-goggins/media-detail.htm?newsID=15492>

There have been worries about the exploitation of agency workers. The UK Department for Business Enterprise & Regulatory Reform includes information for N. Ireland in its new information leaflet, **Agency Workers: Know Your Rights**. It can be downloaded at <http://www.berr.gov.uk/files/file49917.pdf> See also <http://campaigns.direct.gov.uk/agencyworkers/>

Your Rights at Work guide is being revised locally by the Department of Employment and will be available in several languages. The Department is also hoping to develop enhanced powers of investigation and prosecution. There are currently two inspectors with power to investigate and prosecute locally based employment agencies where they infringe the rights of workers.

District Councils continue to develop strategies to deal with integration at local level and they are administering Peace III funding, some of which can be used for furthering integration and social cohesion. Belfast City Council, for example has a **Migrant Worker Forum** that allows council staff and representatives of other statutory and voluntary bodies to network and share good practice. The Council's Good Relations

Unit also offers migrant awareness training in conjunction with the South Belfast Roundtable, and is currently working to ensure that comprehensive information of relevance to migrant workers is available on its website. The Council has commissioned research and hosted receptions for local cultural and national groups. Belfast is also leading the **Open Cities** project, along with nine other European cities and the British Council. The project will look at how cities can become more open in attracting and retaining migrant workers. To read more see <http://www.belfastcity.gov.uk/opencities/index.asp>

Other councils, community groups and partnerships between statutory and voluntary bodies continue to work in the area of integration. There is also considerable cross-border sharing of information between rights organisations and other groups.

POLICY AND RESEARCH

A helpful development during the year has been the introduction of a monthly **Policy and Research Newsletter** by STEP (the South Tyrone Empowerment Partnership). Other resources are available to the members of the **Migrant Worker Support Network (MWSM)** of which EMBRACE is a member. MWSM has held a number of useful conferences and seminars. See www.mwsn.org. For the history of STEP's migrant programme see STEP <http://www.iconebusiness.com/stepnrl/site/migrant.aspx>.

LEARNING FROM GOOD PRACTICE

The **South Belfast Roundtable (SBTR)** (formerly the South Belfast Roundtable on Racism) is an umbrella group, under the auspices of the South Belfast Partnership Board, comprised of members from the local community sector; minority ethnic and faith representatives, statutory and voluntary bodies, political parties and others such as the trade unions and Queen's University. A review of the work of the group, *The South Belfast Roundtable Capturing the Lessons: a Case Study in Anti-Racism*, was completed by Joanne Murphy in December 2008. It praises the Round Table for working in partnership to assist a community in transition, which had seen racist attacks in the period before the group was formed in 2004. The report highlights some of the problems:

- the difficulty of coping with peace building after a long period of conflict.
- an area of social deprivation and poor housing where developers were buying up empty properties
- a negative backlash against minority ethnic people who had their own needs and rights
- the absence of Government strategy on race relations
- In response, the first aims were to promote a positive response to cultural diversity; to develop a race relations programme within local education; and a programme regarding racially-motivated attacks.

A number of projects emerged and these are some of them:

- 'A Shared History' project facilitated by the Ulster People's College allowed people from the Chinese, Polish and local communities to examine how they had come to live in the area.
- A comprehensive range of training courses was compiled and delivered either by the SBTR Coordinator or member organisations.

- A South Belfast Inclusion Festival was held in June 2008 and is to be repeated in 2009.
- The group has worked to develop better responses to crisis situations by local people and the statutory and voluntary organisations.

The report stresses the significance of partnerships (between organisations and within the community) and the value of volunteers, but also points up the importance of leadership and of having paid staff to take forward what is difficult and complex work. One of the latest SBTR projects is a Friendship Club. (See page 40.)

A number of other bodies have developed new projects locally. Just one example is **Barnardo's Toybox Programme** for black, minority ethnic and refugee communities. Toybox offers home visiting, parenting information, play and activity sessions for parents and children, a toy library and assistance with community integration. To find out more ask for the BMER Workers (028) 9066 8766 or e-mail tuarceath@barnardos.org.uk.

Good Neighbourliness

'I think we were very surprised by local people being so helpful. We really didn't experience that back in the Czech Republic. It was three years ago and there wasn't any support initiatives, no interpreting services. I remember our first day – it was an empty house, totally unfurnished and our neighbours, local retired people coming to our house and offering us help. Them bringing us furniture. It was wonderful.

A Czech person in Newry & Mourne, quoted in Dr Robbie McVeigh 'We Asked for Workers but Human Beings Came' Report on the Economic Impact of Migrants Workers in Newry and Mourne and Louth for Challenge of Change, 2008, page 27.

The Christian Welcome

‘The heart of Christianity is hospitality.’

Jean Vanier in ‘Something Understood’, BBC Radio 4, Palm Sunday, 2009.

‘“And how hear we every man in our own tongue, wherein we were born?” Acts 2:11

All heard in their own tongue. Members of the early church spoke a variety of languages and came from different cultural backgrounds yet still had a strong sense of belonging.’

From the Parish-Based Integration Project,
Unity and Diversity in Our Churches, page 24,
advising on the use of language in church.

Each year, since we began to experience greater immigration, there has been an expansion in the numbers of Christians from other countries living here. They have choices. They may integrate into the local congregations of their own denomination or the closest to the form of theology and worship that they were used to, or they can attend churches with other people from their own ethnic or national background. Some may do a bit of both. For example Polish Catholics may attend local Catholic parishes during the year, but go to a Polish language mass to have their Easter food blessed.

We are becoming much more aware of local churches led by migrant people. In December 2008 the All-Ireland Churches Consultative Meeting on Racism (AICCMR) produced a ***Directory of Migrant-led Churches and Chaplaincies***. Dr Scott Boldt (EMBRACE chairperson), Yvonne Naylor, Rob Fairmichael and Naomi Brown carried out the research in the north. The booklet provides a snapshot in time. The information is inevitably going to change so it will be updated regularly on the inter-church web site <http://www.irishchurches.org/>. The booklet can also be printed off from the EMBRACE web site. The booklet shows that there are 361 new local faith communities, congregations and chaplaincies run by migrants and for migrants, 33 in Northern Ireland.

Michael Earle, General Secretary of the Irish Council of Churches and Executive Secretary of the Irish Inter-Church Meeting, explains in the introduction why new churches are formed:

‘Many of our new neighbours come from strong church-going backgrounds and look for an identity with their homeland that helps them make the huge adjustment to living in a new country’.

Many others, however, are ‘adding to the significant growth taking place within indigenous churches’.

Fr Irenaeus du Plessis, of the Antiochian Church of St Ignatius, Belfast, formally launched the book with a moving address that emphasised the positive potential of the situation. Christians are all strangers on this earth with a theology that instructs us to make foreigners welcome. If we despise people here, what will we say to them in the hereafter? ‘The womb of the church is much wider than our concept.’ He sees his own newly opened church of St Ignatius in North Belfast as a house of prayer for all nations. It is housed in the former St James’ Church of Ireland building on the corner of

Antrim Rd and Cliftonville Rd, Belfast. People from many countries, including Bulgaria, Georgia, Greece, Russia, Serbia and Ukraine attend services and find fellowship there. They have a pan-orthodox policy and a Romanian Orthodox congregation uses the church regularly. Read more on their web site: <http://www.belfast.antiochireland.org/>

Other churches listed include the Chinese church, which has been here for some time, as well as African congregations; Indian Orthodox; a Polish Mission Church and Chaplaincies; Romanian Orthodox and Romanian Pentecostal; and Syrian Orthodox congregations.

Welcome at Grass Roots Level

Across the denominations, congregations, church forums, parish and community projects, individuals and specialist groups, such as St Vincent de Paul, continue to be involved in a range of activities from diversity training, special groups for people from single national or ethnic backgrounds, language teaching, conversation classes and mother and toddler groups, and advice sessions. It would be helpful if there could be a mapping exercise to identify all these activities so that people could be made aware of good practice.

North Down YMCA

The YMCA in Bangor organises services for local migrant workers, including integration classes; a crèche; child care during English language classes; and a Polish European Voluntary Service volunteer assists over 20 Polish children in a homework class at Bangor Central Primary School.

www.northdownymca.org

Corrymeela/NICRAS

Refugee and Host Community Integration Project

The Corrymeela Community in partnership with the Northern Ireland Community of Refugees and Asylum Seekers (NICRAS) has just started a project to encourage positive relationships between the local community and the small but growing numbers of refugees in Northern Ireland. Activities will be focused mostly in Belfast. The project, mostly based in the Belfast area, will involve the development of formal and informal training and social activities, and has funding up to the end of 2011. Project officer Ann Marie White says

‘The refugee and host community integration project is based on developing understanding and building lasting relationships between people from the host and refugee community. Whilst acknowledging the difficulties in accepting recent changes in communities, it looks to explore misunderstandings and create a safe place for talking, learning and laughter with both the refugee and host community, leaving a legacy of understanding and hospitality.’

City of Sanctuary

Leading Methodist, Inderjit Boghal visited Belfast on 16th October 2008 to encourage support for the Cities of Sanctuary movement. He told an open meeting, hosted by the Refugee Action Group, that the movement is not primarily a campaigning one but is about organisations getting together to support people seeking asylum, by encouraging good neighbourliness, hospitality, eradicating hatred and making everyone safe. Many British cities have large numbers of refugees and a number of groups who support and develop relationships with them. It remains to be seen if Belfast has the critical mass of people to form such a movement here. For more about GB cities of sanctuary see www.cityofsanctuary.org.

The World on Our Doorstep

The *World on our Doorstep* event held in Belfast Bible College in January was organised by **Mission Agencies Partnership (MAP)** (which is comprised of 43 mission agencies) and facilitated by the **NI Evangelical Alliance**. It was the best-attended MAP event in recent years and aimed to educate and empower Christians to reach out to the ever-growing numbers of minority-ethnic people coming here. The lunch was cooked and given as a gift by local Polish, Chinese, Philippine and Indian churches.

Brazilian Pastor Jose Carlos of **Latin Link**, who pastors a congregation of Portuguese speakers in Dungannon delivered the keynote address on the Biblical mandate of 'welcoming the stranger.' Seminars on the cultural mindset of Muslims, Asians and Europeans were also held, and worship led by the Lisburn Portuguese-speaking congregation. To read more see <http://www.eauk.org/articles/world-on-our-doorstep.cfm>

Read about **Latin Link** <http://www.latinlink.org>

Christians Against Poverty (CAP)

There are a number of groups here that can advise about money management. CAP is a debt-counselling charity, centred in England, that has extended its services to Northern Ireland through the Church of God Glenmachan, Belfast. They provide debt counselling in Belfast, BT5, BT6, BT16 and BT18 and telephone advice is available from Bradford, in England on 0781 2201188. To find out about their services and free courses contact 07837624449 or email belfastast@capuk.org. Among the people CAP has been able to assist are some from other countries who are not always entitled to the same benefits as local people, and may miss the support of family and wider circle of friends. Learn how your church could become involved: <http://www.capuk.org/yourchurch/churchpartnership.php>

Don't Be a Stranger Campaign

The UK-wide Don't Be a Stranger Evangelical Alliance campaign is aimed at encouraging the public to build strong communities that are especially welcoming to migrants. It showcases the stories of migrants who have come to the UK and the churches working with them. See www.eauk.org/nostrangers/.

European Churches and Migrants

The **Churches' Commission for Migrants in Europe** reported that about thirty representatives of churches (including migrant-led churches) from 6 European countries had met in March 2009 to discuss best practice models for the active participation of migrants in the life of European churches. They discussed concepts like 'integration', 'identity', 'mainstream churches' and 'migrant churches'. Recent migrants underlined the importance of the initial welcome of traditional European churches, which is often disappointing. 'Newly arrived are knocking on the doors of European churches – can we still hear them?' one participant asked. Others highlighted the need for greater inclusiveness: 'We cannot limit ourselves to filling empty church benches'. Some other participants asked, self-critically, if migrant-led churches tended to be too self-sufficient and not making enough effort to relate to traditional churches. Participants learned about secular methods of

attracting migrants to become members of political parties and trade unions and about a project to test these methods in a religious context. Over the next 15 months, a series of events and training will examine how best to become united in diversity.

<http://www.ccme.be/secretary/NEWS/index.html>

In 2008, the Churches' Commission for Migrants in Europe and Nova Research Centre produced a study, **Mapping Migration, Mapping Churches' Responses; Europe Study**. As well as describing patterns of migration in modern Europe it examines theological approaches to migration, the differing church responses to migrants and migration and stories from some migrant Christians. One emphasis is on migration and Pentecost:

'If the Gospel is to speak to people with intimacy and more than a veneer of spirituality then it must be spoken in their mother tongue. This stresses the importance and beauty of the language and culture of every person who is addressed.'

The authors suggest that an appropriate Christian response to policy-makers must pay proper attention to:

- a. The essential unity of the 'one human race' (or humanity).
- b. The reality of nationhood.
- c. The fact that national borders are permeable to people but not necessarily to values.
- d. The loving care and welfare of the alien.
- e. The rights of immigrants.
- f. Reminding immigrants of their responsibilities within the host society.
- g. Urging a willingness to integrate the migrant.
- h. Urging a similar willingness on the part of the migrant to accept integration.
- i. Compassion for the vulnerable.
- j. The Church as a model of cross-cultural community.

To read the whole study see

<http://www.ccme.be/secretary/NEWS/Mapping%20migration%20report%202008-05-28.pdf>

See also the multi-lingual *Theological Reflections on Migration; a CCME Reader*, Brussels 2008.

<http://www.ccme.be/secretary/NEWS/Theological%20Reflection.pdf>

Have You Thought of a Friendship Club for Your Area?

The South Belfast Roundtable has just begun the Belfast Friendship Club that meets at the Common Grounds Café in the South Belfast. They say 'Now to Belfast or just want to meet some new people? Come along and join us. All welcome.' To find out more about how to set up a club contact Denise Wright Race Relations Co-ordinator, SBTR, (028) 9024 4070 denise.wright@sbtr.org.uk.

'I discovered that what is important to human beings is to celebrate life together.'

Jean Vanier in 'Something Understood', BBC Radio 4, Palm Sunday, 2009.

EMBRACE PROJECTS

Emergency Fund

Over the past year EMBRACE has distributed over £1700 to meet a range of needs, through partner organisations such as NICRAS (the N Ireland Community of Refugees and Asylum Seekers), The Welcome Centre, Homeplus, Bryson One Stop Shop, CWA (Chinese Welfare Association), BELB Education Welfare and STEP (The South Tyrone Empowerment Programme). In every case there was no recourse to public funds to meet the presenting needs. (See Page 41.)

The fund paid for flights home for destitute migrant workers to a range of countries including Bulgaria, Romania, Portugal, Slovakia, Poland and the Czech Republic and bus fares for asylum applicants to travel to England. We have provided hostel accommodation and food for destitute migrant workers and people seeking asylum, as well as for some people who were waiting repatriation by IOM (The International Organization for Migration). We have been paying school bus fares for Roma children in South Belfast who would otherwise not be able to attend secondary school, and for a school uniform for another child who was seeking asylum.

EMBRACE anticipates an increase in need in the light of the economic downturn.

EMBRACE on the Street

This EMBRACE project raises awareness of migrant destitution and provides practical assistance through the donation of clothing, bedding, toiletries and non-perishable foodstuffs. Collections are undertaken by a variety of churches throughout NI on a rota basis. These include the Crescent Church, Fitzroy Presbyterian, Lowe Memorial Presbyterian (Finaghy), St Jude's Church of Ireland, Cooke Presbyterian, the Good Shepherd Catholic Church, Kirkpatrick Memorial and Whiteabbey Presbyterian churches. Portaferry and Glactory Methodist churches and the Antiochian Orthodox Church have joined the rota recently. Special thanks are due to May Street Presbyterian Church and Edgehill Theological College where the items have been stored temporarily. The goods are then distributed through specific aid organisations (for example Homeplus, the Simon Community, St Vincent de Paul and the Welcome Centre) to destitute people on the street and in hostels. The actual requests for donations vary depending on the time of year and current need of the aid organisations.

The role of coordinating the collections has now been passed on from Connor Mulholland to Scott Boldt. If you would like your church to be involved in the EMBRACE on the Streets project contact Scott by phone 028 90686933 or email rec@edgehillcollege.org.

SOME NEW RESOURCES

Inter-cultural Insights: Christian Reflections on Racism, Hospitality and Identity from the Island of Ireland edited by Scott Boldt, has been expanded and reprinted. See <http://www.embraceeni.org/category/about-us/embrace-resources/> for details as to how to obtain copies.

The **Parish-Based Integration Project** in Dublin has published *Unity and Diversity in Our Churches*, an excellent booklet to assist local parishes and congregations with the integration of new residents into their faith communities and Irish society. It includes guidelines for parishes and congregations.

These resources and many more can be consulted at the EMBRACE office. Please phone 07969921328 to ensure that the office is open.

MAIN SOURCES

Accession Monitoring Report May 2004 – December 2008, A8 Countries:

A Joint Online Report between the UK Border Agency, Department for Work and Pensions, HM Revenue and Customs and Communities and Local Government, 2009.

Deserving Dignity: How to Improve the Way We Treat People Seeking Sanctuary, Independent Asylum Commission, 2008.

Frontline Social Welfare Law Quarterly, 70, Winter 2008.

Lisa Doyle, *More Token Gestures: A Report into the Use of Vouchers for Asylum Seekers Claiming Section 4 Support*, Refugee Council, 2008.

Embracing Diversity: Information Update 2008, EMBRACE NI, 2008.

Gillian Fegan and David Marshall, *Long-term International Migration Estimates for Northern Ireland (2006–7)* Northern Ireland Statistics and Research Agency (NISRA), 2008.

Migrant Workers in the Scottish and Irish Fishing Industry, International Transport Federation, 2008.

Kenny Hamilton and Juliet Harris, *21 Days Later: Destitution and the Asylum System*, British Red Cross and Refugee Survival Trust, 2009.

In the Dark, Citizens Advice, Belfast 2008

Nazia Latif and Agnieszka Martynowicz, *Our Hidden Borders: The UK Border Agency's Powers of Detention*, Northern Ireland Human Rights Commission, 2009.

Agnieszka Martynowicz and Neil Jarman, *New Migration, Equality and Integration: Issues and Challenges for Northern Ireland*, 2008.

Dr Robbie McVeigh 'We Asked for Workers but Human Beings Came': *Report on the Economic Impact of Migrants Workers in Newry and Mourne and Louth for Challenge of Change*, 2008.

Unity and Diversity in Our Churches, published by the Parish Based Integration Project/ Irish Inter-Church Meeting, Dublin, 2008.

Welfare Rights Bulletin, 196, Child Poverty Action Group, 2007.

Refugee and Asylum Seeking Women Affected by Rape or Sexual Violence: a Literature Review, Refugee Council, 2009.

Remote Controls: how UK border controls are endangering the lives of refugees, Refugee Council, 2008.

The Vulnerable Women's Project Good Practice Guide: Assisting Refugee and Asylum Seeking Women affected by Rape or Sexual Violence, Refugee Council, 2009.

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From the old country

I came to your door

having reluctantly overcome the embarrassment
of that first tentative note, that awkward call
carefully couched in neutral terms: to allow you a 'no'
and me to avoid the humiliation of rejection.

You invited me in

and in a few clumsy exchanges
the fear that divides humanity, the fear
of the stranger, the difference, the unknown
fell away before a certain magic of blood
and the illogical sense of fellowship inherited
across generations and continents.
Deep down one wants
to find a way to love the other.

We embraced

and found ourselves rejoicing
in our relatedness and a commonness
whose primitive fire chases the demons from the cave.

Stephen Eric Smyth

Stephen Eric Smyth, born 1950, Glasgow, Scotland, has been writing poetry for many years. Some of his work can be seen on www.stephenemicsmyth.co.uk. Stephen is a member of the Marist Brothers, a Catholic religious congregation. He is General Secretary of ACTS (Action of Churches Together in Scotland).