**Targeted work – people with no state support**

**Examples from disabled people with four different forms of migration status –**

1. **People without active asylum claims – refused or never claimed asylum**

I will not provide names for people in this situation because of the precarity of their circumstances.

People may have No Recourse to Public Funds (https://www.nrpfnetwork.org.uk/information-and-resources/rights-and-entitlements/immigration-status-and-entitlements/who-has-no-recourse-to-public-funds-nrpf). The poverty that results from this is a formal government policy, it is not the result of oversight.

Other people may not be formally labelled as having No Recourse to Public Funds but without formal migration status they are forced to avoid contact with official sources for fear of being detained and deported. People may survive through the charity of others or they are forced to sleep rough. People without any state support or the Right to Work are forced to either work illegally or to find other means of survival.

People who I have spoken to speak of the government and the police being fully aware of their existence but refusing to help. In the words of people I have spoken to:

*“****People lose their mind when living on the street not because bad person but because no house, no food, no school, nothing. I was a good person before but when I have nothing what can I do? People may drink or take drugs and others think a bad person. If we get papers, get work, house, money, have something, then can help other people. The government AND the police, they dont care about people on the street. The government only care about people who have their paper and have money. But we are human beings, we need a place to eat and sleep, a place to live, friends, people to talk to, Dont leave them on the street, its cold winter.***

***“The good thing in this country is the charity - people give us house, food. We need to help them to help more people. there are some good people who provide housing and food but The government - not just the government, AND the police - are the problem. For us the pandemic changes nothing. We had nothing before, we still have nothing. When people see you they think bad person, sleeping wherever, drink, drugs, if say something no-one listens, lose your mind..... but thats what the situation does. It makes you lose your mind. nothing changes***

***“English people dont know about us. They think we came here to take. We came just to get better life. We need them to think we are human beings. We came here for a reason. Some of them think we are criminals. Doctors dont help.***

***“Lost something in the street that cant get back. cant smile. No life when living on the street*.**

These circumstances which are the direct result of government policy are actively and deliberately disabling.

**2. asylum seeker waiting for decision**

It is now the 10th year of waiting for a decision on her asylum claim

The Home Office is always trying to pull you down.

‘I didn’t come here for trauma. It is something that has come from being here. Feel powerless. Mind not stable because don’t have a life. You are just surviving’

Discriminated against because of disability and because asylum seeker

If I was not disabled and older, they would have made up their mind a long time ago

In Britain priority goes to:

1. Children
2. Women
3. Dogs
4. Cats
5. Men
6. disabled people and asylum seekers come later

because I am not well therefore they think I am no benefit to the country

the government did not act to restrict Covid because they thought it would only affect people with pre-existing conditions. The government thinks disabled people and asylum seekers are a burden.

**Awareness-raising - Article 8**

but everything comes from the government. The government has the final words. They are hypocrites. They pretend they are doing something but the discrimination comes from the government

How can they do awareness raising when the problem comes from them.

**Accessibility - Article 9**

still has no accessible bath tub or shower. The council say that they cannot make it accessible until she gets migration status. In the meantime she has to use the sink.. The house does not belong to the council. So they cannot make it accessible. If she got migration status then she would be moved. So **the council pay for a carer to help her wash and for the house but they do not enable her to wash herself**

People are benefiting from the lack of access – the carer is being paid, the owner of the house is being paid, so others are benefiting, while she gets less than £6 a day

**Equal recognition before the law - Article 12 and Participation in cultural life, recreation, leisure and sport - Article 30**

you can’t call a poor person to be part of your group if there is a gap of poverty. You can be friends but you are not equal in the group.

Disabled people are given so little money that is a struggle to stay alive,

Article 13 – Access to justice

when her asylum case was refused, the letter was sent not to her but to the police station even though they knew where she was living because it was the accommodation she had been given. They waited to detain her until she was at the reporting centre. She therefore had no notice that her case had been refused or that she would be likely to be detained. Her solicitor refused to come to the police station – the solicitor was “joking with my life”

***[Rule 35 requires detention centre doctors to report to the Home Office "any detained person whose health is likely to be injuriously affected by continued detention or any conditions of detention. https://www.gov.uk/government/publications/detention-rule-35-process but the rights mean nothing if people have no means of implementation*.]**

Article 14 – Liberty and security of person

asylum seekers can be detained without trial for unlimited time

She was detained for six weeks – when a person is detained there is no way of knowing when they will be released - detention policy is cruel, inhuman and degrading

she met another woman in detention who had broken her spinal cord and was still detained for one year and six months

Article 15 – Freedom of torture or cruel, inhuman or degrading treatment or punishment

the asylum system is designed to be inhumane and degrading. That is the purpose of the “hostile environment” <https://www.theguardian.com/politics/2013/oct/10/immigration-bill-theresa-may-hostile-environment>

when an asylum claim is refused people get no money, no house, no healthcare but may be unable to return to their country of origin

Article 16 – Freedom from exploitation, violence and abuse

the violence and the abuse comes from the state

Article 18 – Liberty of movement and nationality

asylum seekers receive £38 per week while they have an active claim and may receive nothing after that. People are not generally entitled to seek work. Travel is unaffordable

in addition Janet had all her documents taken away from her therefore she has no papers. She no longer even has an arc card. Even if she had the money she could not therefore travel by plane

Article 19 – Living independently and being included in the community

disabled asylum seekers and non-disabled asylum seekers get the same amount. There is no recognition of the extra costs associated with being disabled.

access issues + lack of money + restrictions of asylum system means people cannot live independently or be fully included in the community

Article 21 – Freedom of expression and opinion, and access to information

The lack of transparency about asylum decision making means that many people do not dare to speak out in case it jeopardises the future

no access to information about the asylum claim. Just waiting for years. No power. It is actively disabling.

Article 22 – Respect for privacy

every day they come and knock on the door of her accommodation. They knock three times and she doesn’t answer then they can come in. They have a key. She is only allowed visitors between the hours of 9 AM and 9 PM. It is the housing organisation agreement with the council that they check with us every day. If you go out then they will come into your house. There is no privacy.

Article 23 – Respect for home and the family

people are only able to bring their family once their asylum claim has been successful. If family members then arrive there is no entitlement to bigger accommodation. One family shares a single bedroom father mother and adult child who has learning difficulties. There is no prospect of getting bigger accommodation because the child is not entitled to it.

Article 24 – Education

there is a limit to what education people can do while waiting for an asylum decision

Article 25 – Health

the operation was cancelled when she was already in the hospital because hospital staff were told that her asylum claim had been refused. This meant that she was not entitled to secondary healthcare. She therefore was sent home, unable to walk, because the operation had been cancelled. She then had no money for food and no means of getting to places of support

Article 27 – Work and employment

people do not have the right to work and are also struggling with so many barriers that finding employment would be difficult

Article 28 – Adequate standard of living and social protection

people with active asylum claims are provided with housing and £39.63 for each person in the household. This will help you pay for things you need like food, clothing and toiletries.

People whose claim for asylum was refused may be provided with the same money.

People with social care needs should be supported by the local authority rather than the Home Office. The level of support is the same. There is no choice regarding where to live. If the provided housing is rejected then all support is taken away.

There is no extra financial support provided to cover costs associated with being disabled

https://www.gov.uk/asylum-support/what-youll-get

Article 29 – Participation in political and public life

not able to vote

Article 30 – Participation in cultural life, recreation, leisure and sport

no money to take part in cultural activities

Covid meant that feel pressed down because locked-in. Money shots want you to use a bankcard but she is only provided with cash from the local authority. Before Covid she went to local drop-in centres for food but many of these have closed because of Covid. She now has 6 pounds a day for everything

at the beginning of Covid buses stopped taking cash. She was therefore not able to travel. The shame of being refused use of the bus she felt like someone seeing your nakedness

buses now accept cash but it is cheaper for people who are able to pay online

**UN Convention on the rights of disabled people**

**Examples from disabled people with four different forms of migration status –**

**3. Article 3 of the Human Rights Act – medical grounds**

**David Nawaj**

Arrived in UK 2009. First asylum application was rejected. Then appealed. Now successful under **article 3 of the human rights act – medical grounds.**

**Accessibility - Article 9**

Accommodation is not really accessible – it’s awkward to get the chair into the bathroom.

### Also - Participation in cultural life, recreation, leisure and sport - Article 30

Shopping has become more awkward as disabled parking bays were closed because of Covid distancing. Parking has become very difficult.

**Freedom from exploitation, violence and abuse - Article 16**

He does not feel discriminated against – thinks this is because he is well known in local voluntary organisations and local authority.

**Liberty of movement and nationality - Article 18**

He can’t travel to his home country until he gets indefinite leave to remain. At the moment if he tried to return to see family he may not be allowed back into the UK.

**[NB - the reservation must be removed. It has no credibility. The original government argument was that it was needed to enable immigration services to prevent people with dangerous health conditions from entering the UK and infecting others. The government’s response to Covid has shown that this argument is a farce. The aim of the reservation is and always was to enable restrictions to be imposed on immigrants beyond those which can be imposed on citizens.]**

**Living independently and being included in the community - Article 19**

Received direct payments from Haringey local authority to fund his social care. The agency started increasing the cost of providing care, which meant his direct payments were no longer sufficient to fund his care needs. He therefore shifted back to the council. They now pay the agency and have to deal with it if the care agency increase the costs

**Health - Article 25**

Six months ago he became labelled as clinically extremely vulnerable because he has post polio syndrome. But before that he was not included among those shielding.

**Work and employment - Article 27**

Does not have paid work because of disability. His wife is also busy caring for him. They both do voluntary work.

He stopped getting ESA and told to get universal credit

**4. Asylum claim successful, with Indefinite Leave to Remain and now British citizenship**

**Sameh**

**Living independently and being included in the community - Article 19**

He is very happy to get independence. “It is an amazing experience”, earlier this year he moved into his own flat and has a Motability car. Would like to thank everyone who helped

Arrived in the UK as an asylum seeker

“I arrived in a very bad condition” with a spinal cord injury. He was in hospital for a year. During that time he didn’t get any financial support but when he came out he had permanent residency *(??? – this makes no sense to me)*, then five years later in 2019 he got Indefinite Leave to Remain. Now he has British citizenship

**Accessibility - Article 9**

he had already put in bidding for a flat before getting Indefinite Leave to Remain *(??? – I don’t understand how this could happen before having Leave to Remain)*. But he couldn’t move in until this year because he was waiting for adaptations such as hoist for the bathroom

When he came out of hospital he was put in a nursing home for older people and people in palliative care. It was very bad for mental health

He was volunteering in Ealing Centre for Independent living. From there he learnt about inclusion London who helped him to get legal advice. “Imagine if I didn’t have solicitors help”

**Access to justice - Article 13**

– without the help of inclusion London he would not have been able to afford legal help and would be likely to still be in the nursing home

“Really appreciate the help from inclusion London”

While he was in the nursing home all the meals were included. He received £24 a week at the Post Office. His other benefits were paid direct to Hillingdon Council as a contribution to his care package. “At first nobody told me I had to pay contributions had been saving money from the benefits” .

“Would like to thank the government reached this point” (yet also said that wouldn’t have got legal advice without the help of inclusion London and would most likely still be in the nursing home).