

## Hay, Brecon & Talgarth Sanctuary for Refugees

### **The UK Home Office: a dossier of incompetence and inhumanity**

*When we met with our MP, Chris Davies, on 26 January 2018, we raised with him several examples of people seeking refuge in Britain being caused great distress by the inefficient and inhumane way in which asylum and other applications were being dealt with by the UK Home Office – often with long delays, loss of documents and files, etc. We pointed out that some of these lapses were not only distressing to the refugees, but must cause great problems and huge unnecessary expense for civil service departments. We ended by saying that, in our view, the Home Office asylum and visa process and the departments responsible for it were unfit for purpose.*

*Since then we have read numerous reports which lend credence to our criticism...*

The reports listed and summarized below are all taken from *The Guardian* over the last few months of 2018. But many could be corroborated in other sources – the BBC, *Telegraph*, etc.

#### **12 December**

**The Home Office is trying to force two British-born children with lifelong and complex physical and mental disabilities out of Britain in a move which experts say breaches UK and UN law.**

Doctors and social care professionals agree that leaving the UK will put the young children, one of whom was born with only half a brain, at significant risk of ill-treatment, educational neglect and physical, emotional and sexual abuse.

The children, aged five and six years old, are currently thriving and making good progress under the care of specialist health services in the UK. But the Home Office has said the children, who only speak English, must move to Pakistan, a country they have never visited where multiple experts believe they are highly likely to suffer irreversible harm and suffering.

#### **12 December**

**A worrying number of vulnerable Chinese women, many of whom are trafficking victims, are being detained under threat of deportation, campaigners and lawyers have warned.**

Several of the women have been picked up in immigration raids on restaurants, brothels and massage parlours, campaigners said, adding that trafficking victims are being held in detention often with no legal representation or access to interpreters, and have medical needs that are going unmet.

Women for Refugee [Women](#), who visit and advocate for asylum-seeking women held in detention in Yarl's Wood immigration removal centre in Bedfordshire, said they had spoken to more than 20 Chinese women detained in the last five months.

#### **11 December**

**The UK's anti-corruption policy was under scrutiny on Tuesday after the government failed to implement a promise to suspend a widely criticised "golden visa" scheme.**

Just five days ago, in a 500-word press release, the Home Office announced that the UK's Tier 1 Investor programme, whereby UK visas are sold to wealthy foreign citizens, would be suspended at midnight last Friday, 7 December, as part of a sweeping "[crackdown on financial crime](#)".

“The Home Office has suspended the Tier 1 (Investor) route as it prepares for sweeping reforms in 2019, as part of its ongoing efforts to tackle serious organised crime and money laundering,” it said.

The immigration minister, Caroline Nokes, said in the statement: “I have been clear that we will not tolerate people who do not play by the rules and seek to abuse the system.”

However, a Home Office spokesperson on Tuesday issued a statement of less than 30 words – only on request – confirming that the promised change in policy had not been implemented.

“The Tier 1 (Investor) visa is not currently suspended, however we remain committed to reforming the route. A further announcement will be made in due course,” the spokesperson said.

The Home Office refused to offer any further explanation when approached by the Guardian.

### **5 December**

**The home secretary has said he would like to review the ban on asylum seekers working in the UK as they wait for their claims to be decided.**

People seeking asylum in the UK are only allowed to work if they have been waiting on a claim for 12 months or more and they can fill a role on the shortage occupation list, which includes positions such as classical ballet dancers and geophysicists.

The Home Office aims to process all initial asylum claims within six months, but in reality nearly half (48%) go beyond that target.

This means people have been essentially banned from working while they wait months, and often years, for a decision on their claim, living on the £5.39 a day the government provides.

### **5 December**

**Large numbers of people of non-Caribbean heritage may have been badly affected by the [Windrush scandal](#) but the Home Office has shown a “lack of curiosity” about the adverse impact of its legislation on them, according to a critical report by the National Audit Office.**

The report, titled Handling of the Windrush Situation, found the Home Office was failing in its duty “to be proactive in identifying people affected”.

“The department is taking steps to put things right for the Caribbean community, but it has shown a surprising lack of urgency to identify other groups that may have been affected,” said Amyas Morse, the head of the NAO.

### **3 December**

**Pressure is building on the Home Office over its failure to find 49 people deported to Commonwealth countries who may have been wrongfully expelled to inform them of the Windrush taskforce.**

The group, which had been held in UK detention centres, were flown to Ghana and Nigeria between March and September last year, before [the Windrush scandal](#) erupted.

“I think it’s the moral responsibility of the government to track them down,” said the Green party MP, Caroline Lucas, who learned through a series of parliamentary questions to ministers that the Home Office had made no “specific attempt” to inform the 49 that the taskforce existed.

## **26 November**

**Kweko Adeboli...After seven years of fighting the Home Office's plans to deport him, the end of the road was swift and brutal. He was not even allowed to say goodbye to his loved ones.**

Adoboli was arrested and detained two weeks ago, was deported two days later with no written notice from the Home Office about which flight he was going to board, and arrived back in [Ghana](#), where he had not lived since the age of four, the following day.

While he is still in a state of shock and grief about his removal from the UK and the forced separation from his loved ones, he is relieved to no longer be living under the yoke of the Home Office. "It's the first time I have felt free in seven years," he says. "The Home Office destroys lives. Destroys lives."

## **12 November**

**The Home Office has abandoned a controversial "hostile environment" scheme using [NHS](#) data to track down patients believed to be breaching immigration rules.**

In the face of a legal challenge brought by the Migrants' Rights Network, a memorandum of understanding between the Department of [Health](#), NHS Digital and the Home Office is being scrapped.

## **2 November**

**[Sajid Javid](#) is determined to press ahead with a wide-ranging review of the culture and practices at the Home Office, despite concerns that it could point the finger at decisions made during Theresa May's tenure.**

The home secretary announced last month that he would institute a review, after it emerged that some immigrants applying to stay in Britain had been wrongly obliged to provide DNA samples.

Senior Whitehall sources suggested Downing Street was sceptical about the review, saying: "They haven't stopped it, but I don't think they like it."

## **13 October**

**The Home Office is so concerned about the health of a man who faces removal from the UK this Monday that four medics will accompany him on the flight in case he has a stroke.**

Sangarapillai Balachandran, 60, a Sri Lankan Tamil with Australian citizenship, is due to be flown to Australia with his wife and three children. He has had three increasingly serious strokes over six years. He says that all three occurred during periods of stress in his dealings with the Home Office over his family's immigration case.

Balachandran, who fears he could die on the flight, takes medication for high blood pressure. When his blood pressure was taken a few days ago to assess his fitness to fly it was 160 over 105 – normal blood pressure range from 120/80 to 140/90. A neurologist who treated Balachandran after his third stroke said it was likely to have been caused by "a combination of hypertension and ethnic factors".

## **3 September**

**Nearly three-quarters of final immigration court appeals brought by the Home Office against rulings allowing asylum seekers and other migrants to stay in the UK are dismissed, according to figures seen by the Guardian.**

The low success rate raises concerns the Home Office is putting people through lengthy and expensive court processes when it has little chance of winning. One lawyer said the figures, which will be associated with the “hostile environment” policy, showed the government was needlessly “stopping people getting on with their lives”.

### 17 August

The Home Office has left some people waiting more than 20 years for decisions on their asylum claims, according to data obtained exclusively by the Guardian, in delays charities say are unacceptable and “utterly barbaric”.

Seventeen people received decisions from the Home Office last year on claims they had submitted more than 15 years ago, four of whom had waited more than 20 years for a decision. The worst case was a delay of 26 years and one month after the person initially applied for asylum.

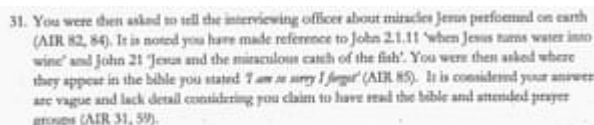
### 11 February 2018

#### **For asylum seekers, their interview with the Home Office is no laughing matter.**

One, Zabrain, said he felt the interviewer was so inept, he was sure she must be an intern. “Someone who is incompetent is the decision-maker of your life,” [he told the Guardian](#). “Is this the rule of law?”

But some of the questions asylum seekers are asked, and the Home Office’s interpretation of their answers, do seem farcical. Here are 10 examples from interview transcripts and Home Office refusal letters.

1. A Christian convert seeking asylum because his life was in danger in his home country was asked to name two miracles performed by Jesus. After doing so, he was marked down for not being able to pinpoint the reference for where those stories appeared in the Bible.



31. You were then asked to tell the interviewing officer about miracles Jesus performed on earth (AIR 82, 84). It is noted you have made reference to John 2.1.11 'when Jesus turns water into wine' and John 21 'Jesus and the miraculous catch of the fish'. You were then asked where they appear in the bible you stated 'I am so sorry I forget' (AIR 85). It is considered your answer are vague and lack detail considering you claim to have read the bible and attended prayer groups (AIR 31, 59).

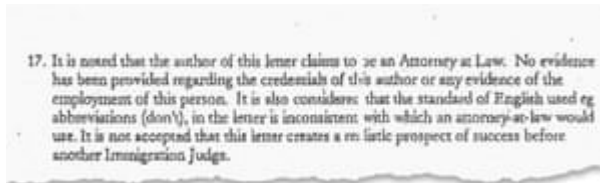
The same man was asked who Jesus’s earthly parents were. He replied: “Mary, but he did not have an earthly father.” The Home Office said he was wrong and the correct answer was “Mary and Joseph”. The man’s vicar, who made submissions on his behalf, argued that his response was valid as the virgin birth is “a key Christian tenet”.

2. [A man claiming asylum](#) on the grounds he had converted from Islam to humanism and risked being killed if he returned to Pakistan was refused partly because he could not identify “any famous Greek philosophers who were humanistic”.
3. A man was refused asylum despite medical testimony from an expert that scarring on his body was “either consistent or highly consistent” with torture. The Home Office refusal letter suggested some of the scars might have been caused during karate training.
4. A woman had a serious psychotic episode during her interview and began hallucinating. Instead of stopping the interview and getting the woman medical help,

the interviewer continued. Afterwards, the case went to the high court, where the [judge said](#):

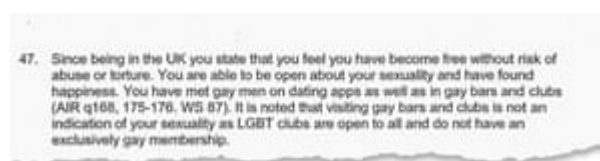
“Reading that interview, it is apparent that the claimant was very unwell at the time ... She appeared to be talking to people who were not there and the interview nonetheless continued including beyond a time when she asked whether or not she had wet herself.

5. A letter written in support of an asylum seeker by a lawyer from his home country was dismissed partly because it was “considered that the standard of English used eg abbreviations (don’t), in the letter is inconsistent with which an attorney-at-law would use”.



17. It is noted that the author of this letter claims to be an Attorney at Law. No evidence has been provided regarding the credentials of this author or any evidence of the employment of this person. It is also considered that the standard of English used eg abbreviations (don't), in the letter is inconsistent with which an attorney-at-law would use. It is not accepted that this letter creates a realistic prospect of success before another Immigration Judge.

6. A lawyer from the asylum seeker’s home country wrote to clarify a point of law, but had his credentials doubted by the Home Office
7. Asylum seekers have to be very careful as they tell their stories. Any discrepancy can be used as proof that they are lying or “lack credibility”, such as this inconsistency noted in a Home Office refusal letter:  
“It is noted that you have been inconsistent ... as you initially state that you took sheep and goats to graze and then you stated that you took the sheep. This is a minor inconsistency however it has been noted.”
8. The Home Office asked a man, claiming asylum because of his sexuality, to describe how he first became aware he was gay. He said that as a child he loved going to bath houses because it meant he could “see naked men”. The Home Office rejected this, saying that “children are sexual beings who are curious about sex and sexuality and will therefore experiment ... and it is not an indication of their preferred gender”.



47. Since being in the UK you state that you feel you have become free without risk of abuse or torture. You are able to be open about your sexuality and have found happiness. You have met gay men on dating apps as well as in gay bars and clubs (AIR q168, 175-176, WS 87). It is noted that visiting gay bars and clubs is not an indication of your sexuality as LGBT clubs are open to all and do not have an exclusively gay membership.

The man’s claim to be gay was dismissed by the Home Office in their refusal letter. The Home Office also dismissed his claim that his brother had shot him after catching him with a man, because at one point he said he had been shot in the foot, and at another that he had been shot in the leg, despite the fact that English was not his first language and his interview was conducted without an interpreter.

9. A letter refusing protection to a Vietnamese man said he would be able to integrate back into the country because he had spent “the majority of [his] adult life there”, despite the fact he had left Vietnam at 17. It also said he would be assisted by “family

members in Vietnam”, despite him no longer having any family living there.

to provide evidence of any significant private life and you have failed to demonstrate that you are socially and culturally integrated in the UK. You have lived in Vietnam until the age of 17 years; it is therefore deemed that you have spent your childhood and formative years and the majority of your adult life there. It is considered that you would be able to integrate in Vietnam to the degree necessary, for example by arranging accommodation and seeking employment in order to support yourself with the assistance of friends and family members in Vietnam.

An excerpt from the refusal letter sent by the Home Office to a Vietnamese asylum seeker

10. A man from Malaysia, where gay sex can be punishable by whipping and up to 20 years in prison, claimed asylum based on sexuality. He was refused on the grounds that he was not believed to be gay and that “even if your claim to be gay were accepted (which it is not), various sources shown [sic] there is a flourishing gay scene in Malaysia”.

The Home Office quoted websites, including gayhomestays.com and gaystarnews.com, which had articles about being gay in Malaysia. The articles acknowledged that “LGBT rights do not yet exist in Malaysia”, “gay life ... is very much ‘underground’”, and being gay is “a tough life for many”.

### 11 February

**The British asylum process is a lottery and many asylum interviews are rushed, biased and resolved by “cut and paste” decisions by overworked Home Office staff, whistleblowers have told the Guardian.**

Former staff employed in deciding asylum claims said some colleagues had a harsh, even abusive, attitude towards applicants, mocking them to one another and employing “intimidation tactics” during interviews.

As a result, the whistleblowers said, the asylum system was in effect a lottery, depending on the personal views of the decision-maker who picked up the file. They said some staff took pride in rarely, if ever, granting asylum.