



## **The law and social work in Scotland**

*Refugees and asylum seekers*

### **Nick Balneaves:**

Refugee and asylum issues are in the media a lot these days. I'm going to try and get behind the headlines to explore some of the real-life issues that asylum seekers face and that social workers may come across in the course of their work. Sally Daghlian is the Chief Executive of the Scottish Refugee Council, based here in Glasgow and I began by asking her to set the numbers involved in the issue in some sort of context.

### **Sally Daghlian:**

Well the numbers of asylum seekers that cross Europe have been reducing, over the last few years, and the numbers within the UK have reduced by 40 percent. You know, so if you put all of the asylum seekers, err, in the UK into Hampden Stadium there would still be room for a few thousand Scottish residents. And here in Scotland there's an estimated 5,000, umm, asylum seekers living in Glasgow.

### **Nick Balneaves:**

Which is a tiny percentage of the population.

### **Sally Daghlian:**

It's a very small number and one of the biggest problems at the moment is that the public perception is that we have, hundreds and thousands of people coming here, that the UK takes far more people than anywhere else in the world. Whereas the truth is that most asylum seekers and refugees are living in the developing world. Most of them don't get as far as Western Europe. And in terms of the UK being the fourth or fifth wealthiest economy in the world, then it seems to me that we should be able to provide a welcome and support to those small numbers of people who actually come here seeking our protection.

### **Nick Balneaves:**

And that is one of the roles of the SRC, isn't it?

### **Sally Daghlian:**

Yes, Scottish Refugee Council, is a national charity and we're here primarily to provide advice, information and support to asylum seekers and refugees and to refugee communities. Umm... but we also work to ensure that Scotland is a welcoming environment for refugees. And we work to inform the public, what the real issues are, what are the facts as opposed to the myths that we often read in the newspapers, and we have a campaigning role. We're here to make sure that the government meets its international, humanitarian and legal obligations to provide protection to refugees.

### **Nick Balneaves:**

What sorts of practical help on a day-to-day basis do you offer refugees and asylum seekers?

### **Sally Daghlian:**

It's a very wide range, umm, we provide support and information in helping people to understand the system that they find themselves in, seeking asylum is a very complicated process, most people don't know anything about that when they come. All they know is that they have to leave their country because their lives are in danger.

### **Nick Balneaves:**

What rights do people who come here as refugees and asylum seekers have?

**Sally Daghlian:**

The very first right is that people have a right to come here to claim asylum and there's again a great deal of confusion about that and people talking about, for example, illegal asylum seekers. Well the right to claim asylum is something which is enshrined in the universal Declaration of Human Rights.

So people who come here seeking asylum have a right to be heard, they have a right for their story to be listened to, and they have a right for an assessment to be made of whether they, under international law, meet the criteria to be a refugee. If asylum seekers are destitute then they have some rights to support from the State, but they don't have any rights to access mainstream public benefits, and unlike other people, they are not allowed to work.

**Nick Balneaves:**

Rights imply obligations. What obligations do Local Authorities have in terms of asylum seekers?

**Sally Daghlian:**

That has changed since the introduction of the National Asylum Support Service, which has a legal duty to support asylum seekers. But Local Authorities have got duties to children, for example, asylum seeking children are covered by the provisions of the Children's Act. Asylum Seekers who need community care assessments would be entitled to them.

**Nick Balneaves:**

Can you tell me in a bit more detail what NASS involves?

**Sally Daghlian:**

The National Asylum Support Service was set up by the government to provide housing and support to destitute asylum seekers who previously had been supported through the mainstream welfare benefit system. The new system meant that any asylum seeker coming to the UK who didn't have the means to support themselves has to make an application to this government department which will assess whether it thinks they're destitute and then allocates housing on a no choice basis and housing is in what are called dispersal areas across the UK. Prior to the establishment of NASS, the majority of asylum seekers in the UK arrived and stayed in London and the introduction of a dispersal system was to be a mechanism to relieve pressure on London and the South East where access to public sector housing is particularly difficult and to have a system of sharing support across the country. When they're accepted for NASS support they then receive cash support on a weekly basis, which is equivalent to about 70 percent of income support. As well as being, you know, considerably less than other people are expected to live on, asylum seekers don't then have access to the other benefits that are generally triggered for people who are on income support so, you know, what are called top up benefits, like disability benefit for example, or community care grants. So asylum seekers have often got huge problems, because they arrive in the UK with very little, sometimes only the clothing that they stand up in.

**Nick Balneaves:**

So what options are open to them in that situation?

**Sally Daghlian:**

People are reliant on charitable donations. In Scotland we have something called the Refugee Survival Trust, which was set up and is a fund which is available to asylum seekers and refugees in real hardship.

**Nick Balneaves:**

Other than the financial hardship, what other pressures and difficulties do asylum seekers face?

**Sally Daghlian:**

I think the main one is anxiety, that people have a whole range of experiences which are very difficult for them to understand and come to terms with. First of all there's the situation which caused them to flee in the first place, so people have often experienced war, or torture, or some form of persecution and I think that's hard for us to imagine what that means, but it can

mean being, you know, beaten up, being arbitrarily detained by security services, being threatened and intimidated, having members of your family killed. When they then escape they've often lost their family. Many female asylum seekers in particular, have actually lost their children, they've become separated from them and sometimes they don't even know where the children are, so in a war situation, and they may literally have lost contact, they don't know where their children are. People are also very very anxious about the future, they don't know what's going to happen. They enter a system where they're often not believed and they feel that they're not believed. So having had these very difficult experiences, they are often treated as not credible by the immigration services.

**Nick Balneaves:**

And what about the welcome they receive once they come here?

**Sally Daghlian:**

That I would say is very variable, certainly for people coming to Glasgow, they experience the very best and I think the very worst. Many people suffer from racial harassment, from abuse. 'Asylum seeker' in itself, as a term, has become a term of abuse, people feel then that there is a real stigma and a shame attached to being an asylum seeker. And wherever people go, they're asked about their immigration status and often that's in a negative way. There's a suggestion that if you're an asylum seeker you must be a scrounger.

**Nick Balneaves:**

And does that make it difficult in itself to access services?

**Sally Daghlian:**

People are sometimes asked about their immigration status when they're trying to access services and in the majority of cases there's absolutely no reason why that question is being asked. Sometimes asylum seekers are casually asked by service providers: why are you here? And people when they are asked those questions I think don't have an appreciation of the trauma that people might have experienced and the very difficult circumstances that they've fled from. So these are questions which are very difficult for people to answer if it's not in an environment where people feel safe and feel comfortable.

**Nick Balneaves:**

Talk me through some of the other barriers to accessing services that you mentioned?

**Sally Daghlian:**

Well I think the biggest barrier is knowledge, that people actually don't know the range of services that exist. They don't know what their entitlements are, they don't understand how things work here. Many asylum seekers in the UK are people who have come from, professional backgrounds, they have been business people, but when they come here, they have lost the status that they had, they lose a lot of their self-esteem along with that and then they find themselves within a system that they don't understand, and that's very, very disempowering.

Some services that we have here, and take for granted, aren't the same where they come from. So, you know there isn't a concept in many countries of social work services, people have no idea what that, what that means, or what support you might be able to receive. And of course these sorts of problems are compounded by language.

Many of them may speak three or four other languages, but many will arrive here without English and of course that then is a huge barrier.

**Nick Balneaves:**

What particular pressures do children face when they come here?

**Sally Daghlian:**

Children, like adults, have to cope with unfamiliarity. But children are very adaptable and I think we often see that children I think adapt more quickly than their parents, they certainly pick up language skills very quickly. But of course children face particular problems here, sometimes they're inappropriately used as interpreters for their parents. There is an element of loss of childhood for some refugee children. Sometimes they're living with parents who

are, you know, very traumatised or who are not dealing well themselves with the situation so, you know, children to some extent become carers for their parents. And of course that has all sorts of implications for family dynamics and relationships as well for children's own self esteem.

**Nick Balneaves:**

And do women face any particular difficulties?

**Sally Daghlian:**

Many women find themselves on their own, as asylum seekers, living in a culture which is very different and they've often come from cultures which are very patriarchal and suddenly they find that they are having to do things here and make decisions that they wouldn't have done at home. And that can also have an impact on relationships within the family

**Nick Balneaves:**

We still in this country do suffer from a certain degree of gender discrimination as well, does that apply to asylum seeking women?

**Sally Daghlian:**

I think it does. I think people often make assumptions as well about refugee women. And actually the things I've just said might contribute to that because, it's very important that we don't generalise about asylum seekers and refugees, you know, amongst the refugees here in the UK, there are women who have, you know, held high powered jobs within government ministries or in universities they are highly skilled, well educated, articulate, and actually people don't expect that.

**Nick Balneaves:**

We've talked about the NASS system, do people fall out with the NASS system and why?

**Sally Daghlian:**

People do fall out of the system. But the biggest problem is for people who have been refused asylum and who then are, have their NASS support terminated because they're no longer eligible. In many cases people are still going through legal processes and in fact they are eligible but you have to go through a process of reapplying, so there can be a period where people have no support, so when mainstream NASS support ends there are is something called 'Section 4 Support' which is even more basic than NASS support.

It involves no money whatsoever but accommodation and food. So for example, people with children would continue to have support under the NASS system until they're removed from the country at the moment. Although there is another section which is called Section 9 which gives the government the right to terminate support for families and to try and use destitution as a way to force people to leave the country.

**Nick Balneaves:**

In what circumstances can you envisage social workers becoming involved with asylum seekers?

**Sally Daghlian:**

I think that there are a whole range in the relation to the normal, you know, family issues, family breakdown, child protection, special needs where there are community issues, sometimes in areas where people have got mental health problems, psychiatric problems, and particularly unaccompanied asylum seeking children, I mean they're one of the most vulnerable groups of asylum seekers, and under the current legislation, unaccompanied asylum seeking children are the responsibility of social work departments, so they should receive care and assistance from social services rather than from the NASS mainstream system. But one of the problems is sometimes social workers don't themselves fully understand the asylum process, so there isn't independent adult guidance to support the child through that. In our experience, and we've carried out some research in Scotland, the support that separated children get varies considerably, and sometimes social work departments don't fully understand their obligations.

**Nick Balneaves:**

So what advice would you give to individual social workers about dealing with asylum issues, dealing with individual asylum seekers?

**Sally Daghlian:**

I think the first thing is to see the individual, you know, to look beyond the label, don't start with the label, but the most important thing I think is to be aware that refugees and asylum seekers may have experienced very, very traumatic events, so people need to be sensitive in the way they work with them, and be aware of you know, the barriers.

It's very easy to you know, language seems to be is an obvious barrier, but it's quite shocking the number of professionals that we come across in a whole range of fields who actually don't use professional interpreters, and who use children as interpreters, or think that well you can just get a fellow asylum seeker to interpret.

I mean I think that's like you know, how would you feel if you're going for a service and somehow your next-door neighbour gets pulled in to be the interlocutor between you and your doctor, you know, it's not appropriate and they don't necessarily have the skills.

So, I think, be sensitive, look at the whole picture. But be particularly aware of the sensitivities of the sorts of experiences that people may have had and also the access to, or the lack of access, to other support networks, I think that's one of the, the problems that asylum seekers face as well, is not only when they come here do they often not have, you know, many goods, they don't have support networks, they don't have family and friends and the things that many of us can fall back on.

**Nick Balneaves:**

Sally Daghlian, thank you very much.

**Sally Daghlian:**

Thank you.