



Forced inactivity and barriers to participation among refused asylum seekers

PAFRAS Briefing Paper Number 12

September 2009

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PAFRAS Briefing Papers

PAFRAS (Positive Action for Refugees and Asylum Seekers) is an independent organisation based in Leeds. By working directly with asylum seekers and refugees it has consistently adapted to best meet and respond to the needs of some of the most marginalised people in society. Consequently, recognising the growing severity of destitution policies, in 2005 PAFRAS opened a 'drop-in' providing food parcels, hot meals, clothes, and toiletries. Simultaneously experienced case workers offer one-to-one support and give free information and assistance; primarily to destitute asylum seekers. PAFRAS works to promote social justice through a combination of direct assistance, individual case work, and research based interventions and analysis.

Below an underclass, destitute asylum seekers exist not even on the periphery of society; denied access to the world around them and forced into a life of penury. To be a destitute asylum seeker is to live a life of indefinite limbo that is largely invisible, and often ignored. It is also a life of fear; fear of detention, exploitation, and deportation.

It is from the experiences of those who are forced into destitution that PAFRAS briefing papers are drawn. All of the individual cases referred to stem from interviews or conversations with people who use the PAFRAS drop-in, and are used with their consent. As such, insight is offered into a corner of society that exists beyond the reach of mainstream provision. Drawing from these perspectives, PAFRAS briefing papers provide concise analyses of key policies and concerns relating to those who are rendered destitute through the asylum process. In doing so, the human impacts of destitution policies are emphasised.

Introduction

**Published by
Positive Action for
Refugees and
Asylum Seekers
(PAFRAS) ©
September 2009**

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PAFRAS Briefing Paper 12 focuses on the 'deskilling' of refused asylum seekers. Asylum seekers are prevented from working in the UK except where there are extenuating circumstances, and if a claim for asylum is refused then this denial of work is continued. At all stages of the asylum process an individual is forced into a form of limbo, with opportunities for employment and education limited both formally and informally.

This briefing paper looks at these barriers with regard to refused asylum seekers. A body of work has begun to emerge that explores the impacts of 'deskilling' those seeking asylum (discussed below), and what follows seeks to add to this knowledge base by considering the nuanced issues in relation to those whose claims for asylum have been rejected.¹ Whilst the asylum process works to ensure that all of those who are forced to seek sanctuary are denied particular opportunities, end of process asylum policy adds to these barriers. By exploring this framework this briefing paper aims to make clear one aspect of asylum policy, as it effects those whose claims for asylum are rejected.

This paper is structured around three main sections. First, it discusses the availability of employment, education and volunteering opportunities for individuals within the asylum process. Second it discusses what is meant by the terms 'deskilling', and places this process within a wider analysis of the asylum system. Third, it draws on a questionnaire given to 32 refused asylum seekers asking about their skills and qualifications. By doing so it adds to the body of knowledge that is being built up regarding the skills, talents, and aspirations that are being stagnated, in this context as a matter of design, within the asylum process.

¹ Whilst it is not the focus here, it is salient to mention that concerns about the deskilling of asylum seekers have been raised throughout other European countries, and not just in the UK. See for example, The Equal Initiative (2007) *Summary of European Policy Forum on Asylum*, European Commission: Brussels.

In 2002 Blunkett called to have asylum seeking children educated separately from others on the basis that schools were being, in his words, 'swamped'; and consequently received '100 per cent support' from Tony Blair.

In order to receive Section 95 support (basic financial support and accommodation) whilst an asylum claim is ongoing, the applicant must be able to prove that they have no form of income; and the government proposed plans in July 2009 to reduce this support from £42.16 to £35.13 a week.

Further, and drawing again from these questionnaires, it considers the implications of these processes both in terms of the psychological repercussions, and the wider impacts in terms of labour markets.

Employment, education and volunteering opportunities

The provision of work for people seeking asylum in the UK was established in 1986 for individuals whose claim had not been decided within six months. However it was removed by the New Labour government in 2002, in part on the basis that, according to the Home Office, this concession was 'increasingly irrelevant'.² The Home Office suggested that the majority of asylum claims by this point were reaching conclusions within six months and, as such, people did not need to take up employment. Given that this suggestion was flatly denied, and that the Refugee Council maintained that asylum claims were taking an average of 13 months to be decided,³ the extent to which employment was 'irrelevant' in these terms is dubious. But, in any case, the move to withdraw employment concessions was further underpinned by the then Home Secretary David Blunkett's assertion that it was the freedom to work, 'coupled with the English language, that is such a pull factor in [asylum seekers] coming to this country'.⁴ Whilst the idea that asylum seekers enter the UK in order to access the labour market and welfare benefits has been discredited by research conducted on behalf of the Home Office,⁵ it was a key factor in ensuring that employment concessions were abolished and a parallel welfare system established.⁶

Access to education, too, was reduced. In 2002 Blunkett called to have asylum seeking children educated separately from others on the basis that schools were being, in his words, 'swamped'; and consequently received '100 per cent support' from Tony Blair.⁷ Such plans never formally came to fruition, and adults remain theoretically allowed to study on courses as long as they can fulfil the entry requirements and pay any fees.⁸ The latter of these stipulations in particular though acts as a barrier to education in many cases. In order to receive Section 95 support (basic financial support and accommodation) whilst an asylum claim is ongoing, the applicant must be able to prove that they have no form of income; and the government proposed plans in July 2009 to reduce this support from £42.16 to £35.13 a week.⁹ To put this in some form of context, asylum seekers are classed by certain universities as international students and, as such could have to pay tuition fees rising above £15,000 per year if trying to pursue higher education. On top of this, meeting course requirements, in some cases, can be made difficult by the fact that access to English language classes has been curtailed.¹⁰ Nevertheless, research

² Burrell, I. (2002) 'Blunkett to stop migrants working', *The Independent*, 23 July, <http://www.independent.co.uk/news/uk/politics/blunkett--to-stop--migrants--working-649178.html>

³ Ibid.

⁴ Blunkett, D. (2001) *Parliamentary Debates*, House of Commons, 29 October: Column 639.

⁵ Robinson, V. and Seagrott, J. (2002) *Understanding the decision making of asylum seekers*, London: Home Office.

⁶ For discussions on welfare see Burnett, J. (2008) 'What is destitution?', *PAFRAS Briefing Paper No. 9*, Leeds: PAFRAS.

⁷ BBC (2002) 'Blunkett stands by "swamping" remark', *BBC News*, 25 April, http://news.bbc.co.uk/1/hi/uk_politics/1949863.stm

⁸ Refugee Assessment and Guidance Unit (2008) *Refugees and Asylum Seekers: An Education, Training and Employment Guide*, London: London Metropolitan University.

⁹ The Independent (2009) 'A depressingly predictable attack on asylum-seekers', *The Independent*, 30 July, <http://www.independent.co.uk/opinion/leading-articles/leading-article-a-depressingly-predictable-attack-on-asylumseekers-1764522.html>

¹⁰ See Burnett, J. (2006) 'Enforcing the language barrier', *Institute of Race Relations News*, 9 November <http://www.irr.org.uk/2006/november/ak000009.html>; and the 'A right to a voice' campaign launched by the National Institute of Adult Continuing Education on 10 December 2008, <http://www.niace.org.uk/campaigns-events/campaigns/a-right-to-a-voice>

For refused asylum seekers the ability to engage in wider society is prevented as a matter of principle.

Theoretically, a refused asylum seeker could be made to participate in community activities in order to receive Section 4 support, but then be issued removal directions because they are engaging in voluntary work.

conducted by the Refugee Council, based on analysis of 186 questionnaires, suggested that 79 per cent of the sample had accessed education since being in the UK, and 40 per cent said they had undergone vocational training.¹¹

For refused asylum seekers the ability to engage in wider society is prevented as a matter of principle. Work remains unavailable, and education opportunities are explicitly denied. There are exceptions, in certain circumstances. And people whose claims have been refused, but are in receipt of 'Section 4' support for example,¹² can theoretically access certain forms of education. However, the provision of vouchers instead of money means that courses have to be free in order to be accessed. Moreover, such courses are frequently over-subscribed and have especially lengthy waiting lists.

Volunteering, on the other hand, has been seen from nuanced perspectives. In certain contexts the government has been less restrictive about opportunities to work when there are no financial rewards. In the Asylum and Immigration (Treatment of Claimants) Act 2004 provisions were put in place that made Section 4 support conditional on participating in 'community activities'. Such proposals were vehemently opposed on the basis that coerced volunteering, without pay, is more akin to forced labour than community work. And it is important to emphasise that in practice this conditionality has not been pursued by the government as a result of campaigning against these measures.¹³ Since that point, the New Labour government have changed emphasis and explained, in 2008, that:

[O]n the grounds that a failed asylum seeker should not be in the United Kingdom at all, he or she should not be volunteering following a final decision on their claim, or if they have exhausted all their appeal rights. Although there is no specific legal power to prevent a failed asylum seeker from volunteering, the normal course of action should be for the Border and Immigration Agency to issue removal directions and to discourage further voluntary activity.¹⁴

The result is something of a legal anomaly where, theoretically, a refused asylum seeker could be made to participate in community activities in order to receive Section 4 support, but then be issued removal directions because they are engaging in voluntary work.

'De-skilled' by the asylum process

An analysis of 'deskilling' within the labour process was famously asserted by Harry Braverman in *Labor and Monopoly Capital*.¹⁵ As a concept, it is most frequently used to refer to the eradication of skilled labour and the concern here is deskilling both within, and through exclusion from, the labour process. First, and most obviously, preventing access to the labour market ensures that it is harder for

¹¹ Refugee Council (2005) *Forbidden Workforce: Asylum seekers, the employment concession and access to the UK labour market*, London: Refugee Council.

¹² For discussion see Burnett, J. (2007) 'Section 4 support', *PAFRAS Briefing Paper No. 1*, Leeds: PAFRAS.

¹³ See No One is Illegal (2005) 'Campaign against slave labour', *No One is Illegal*, 25 May, <http://www.noii.org.uk/2005/05/25/campaign-against-slave-labour/>

¹⁴ Border and Immigration Agency (2008) *Prevention of Illegal Working: Comprehensive guidance for employers on preventing illegal working*, London: Home Office, p. 59.

¹⁵ Braverman, H. (1974) *Labor and Monopoly Capital: The Degradation of Work in the Twentieth Century*, New York: Monthly Review Press.

Refused asylum seekers have an array of skills and talents that, because of being denied employment in the UK, are not put into practice.

people to utilise their occupational skills. As shall be discussed below refused asylum seekers have an array of skills and talents that, because of being denied employment in the UK, are not put into practice. Second, many occupational skills require regular training and updating, and refused asylum seekers are prevented from undergoing such processes. Consequently the skills that people possess when they enter the UK are frequently not developed. Third, and tied to the above, the particular barriers put in place to prevent refused asylum seekers accessing education means that learning cannot be pursued, except in limited circumstances. Whilst fourth, destitution forces some people into the labour market as undocumented workers in a position where they are relatively powerless in relation to their employer.¹⁶ The conditions in which undocumented migrants work are frequently dangerous and exploitative.

A skills and qualifications audit of refused asylum seekers

A body of research has indicated that people seeking asylum possess a wide range of skills and qualifications.¹⁷ These findings are replicated in a questionnaire given to refused asylum seekers at PAFRAS. This questionnaire was completed by 32 people between August and September 2009, and asked the following questions:

1. What is your work background (e.g. teacher, doctor, engineer etc)? Please give details.
2. What skills do you have (e.g. computers/IT, cookery etc)?
3. If you were allowed to work in the UK what would you like to do?
4. Do you have any qualifications? If so could you list them?
5. Are there any things you would like to learn in the UK?
6. What are your outside interests (e.g. sports, music, food/cookery, reading etc)?
7. How do you feel when you are unable to pursue your interests and skills?

Respondents displayed a wide range of employment histories, totalling over 20 occupations in a range of industries and sectors including teaching, hospitality, community development, and computer programming.

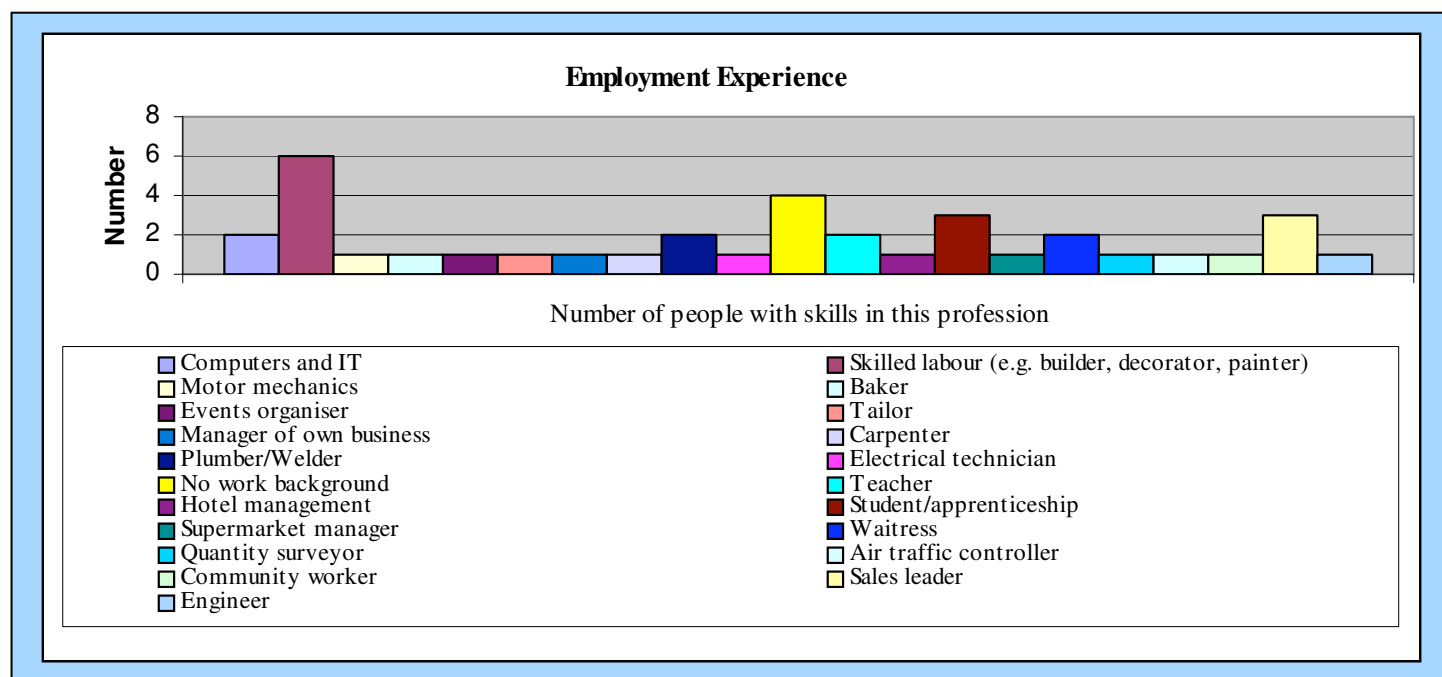
Respondents displayed a wide range of employment histories, totalling over 20 occupations in a range of industries and sectors including teaching, hospitality, community development, and computer programming (see Table 1 on the next page). A number of those who responded had experiences of different jobs, and five people said that they had no employment experience. Of these five, one person stipulated that this was because of their young age.

The skills that people emphasised they possessed largely reflected their employment experience, and the respondents who answered this question (question 2) used this opportunity to describe their expertise in more detail. Answers included project management, athletics, word processing, marketing, sales, and accounting. When answering what work would be desired in the UK, if this was available, 14 people emphasised that they would like to obtain employment in the same field as that which they previously worked. One person stressed that they felt their employment prospects would be hindered by their proficiency of the English language, and suggested a profession in which they felt that this would not be an issue. 12 people suggested that they would like to develop skills in new areas.

¹⁶ Burnett, J. and Whyte, D. (2009, forthcoming) *The wages of fear: risk, safety and undocumented work*, Leeds and Liverpool: PAFRAS and the University of Liverpool.

¹⁷ See for example Doyle, L. (2009) *'I hate being idle': wasted skills and enforced dependence among Zimbabwean asylum seekers in the UK*, London: the Refugee Council and the Zimbabwe Association; and Taylor, D. (2009) *Underground Lives: An investigation into the living conditions and survival strategies of refused asylum seekers in the UK*, Leeds: PAFRAS.

Table 1 – Employment experience of questionnaire respondents

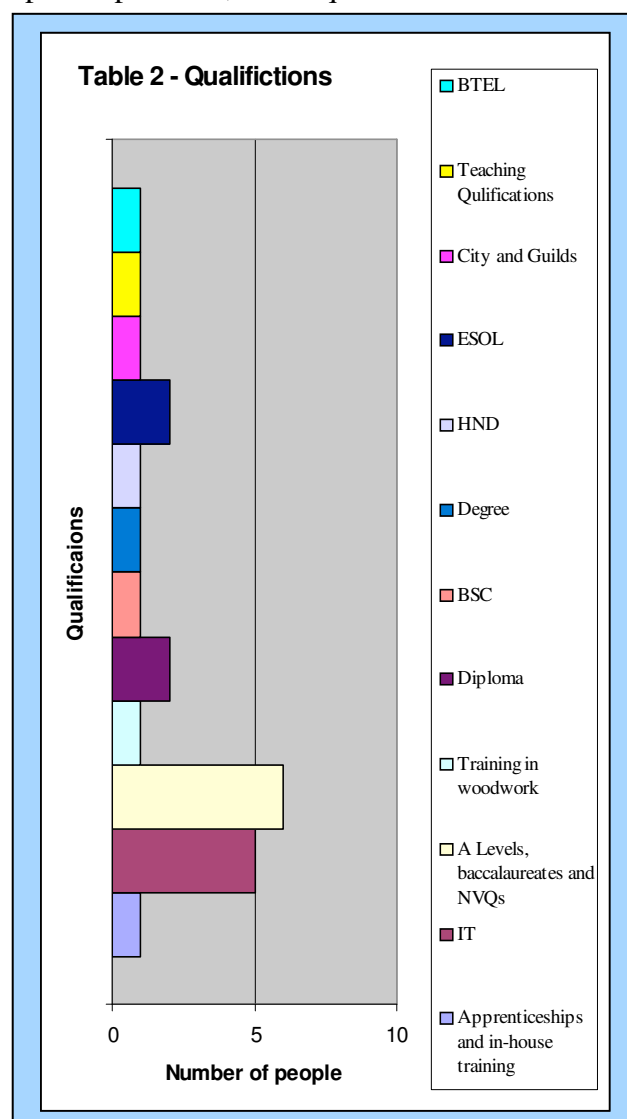


Of the 32 respondents, 22 (or 69 per cent) discussed qualifications that they were in possession of. Bearing similarities to the wide range of employment histories that people emphasised, these qualifications covered a diverse array of institutional affiliations, training schemes, and educational backgrounds. As Table 2 shows, the most common qualifications were A-Levels, Baccalaureates and National Vocational Qualifications. One person was educated to degree level, whilst another had not been able to finish their law degree as a result of fleeing their country.

The majority of respondents stated that they would like to learn new skills in the UK if they were given the opportunity; with only three people (nine per cent) not answering this question. Of the 29 people who did answer, 20 (69 per cent) emphasised that they would like to learn skills related to or developing upon their previous employment and educational backgrounds. Nine people (31 per cent) explained that they wished to study new areas and develop new skills. 26 people, out of the 32 respondents (81 per cent), chose to explain what some of their outside interests were and these answers included a variety of sports, caring for children and elderly people, catering, community and voluntary work, art, gardening, reading, and spending time with family. 94 per cent of those who responded to the questionnaire (30 people) discussed the impacts of not being able to utilise their skills and knowledge, and it is to an analysis of these responses that this paper turns to next.

The implications of ‘de-skilling’

Reflecting a mixture of anger, frustration and sadness, a particularly high number of respondents chose to discuss the personal costs of being denied the opportunity to use their



skills and express their interests. A number of respondents discussed how being forced into inactivity had severe implications for their mental health and well-being and one respondent explained how they felt 'helpless, sad...and really stressed'. Another said that they were 'very stressed. I am a man, I need to provide for my family, if I can't I am not a man. It makes me frustrated'. That destitution compounds mental health problems, and directly enforces physical harm upon people has been discussed in detail elsewhere.¹⁸ A project carried out by PAFRAS in 2007-8, based on improving the health and well-being of refused asylum seekers, made explicit the psychological damage that enforced inactivity inflicts.¹⁹ These findings are reinforced further by the descriptions of despair described in these questionnaires. One respondent maintained that 'I feel dead. Not living. Stuck, no future'. Another discussed that he felt 'hopeless, no use in the world, less confident', and one person stated that British asylum policy had left them 'destroyed. My life is purposeless...'. Answers to the questionnaires emphasised widespread dejection and one individual stated that 'my life has been taken away, faith is keeping me alive'. Another person explained that 'I feel terrible, forgotten. It is not human/natural/normal for a person to be doing nothing. I don't feel like a normal human being'. Ultimately, this widespread dejection could have fatal consequences. Research published by PAFRAS in 2008 emphasised that, of 61 refused asylum seekers who accessed services from a range of organisations in one month in Leeds, 26 per cent had discussed ending their own lives.²⁰ Whilst it would be presumptuous to assume that this was solely related to barriers to employment and education; it would equally be presumptuous to assume that these barriers had no influence whatsoever.

One respondent maintained that 'I feel dead. Not living. Stuck, no future'. Another discussed that he felt 'hopeless, no use in the world, less confident', and one person stated that British asylum policy had left them 'destroyed. My life is purposeless...'

One individual said that 'I feel totally useless. It is shocking. [Being able to work] would be good for Britain'. Another emphasised their situation as 'humiliating, sterile. I go mad being idle when I can do a lot to help myself and others'.

The level of depression and isolation fostered through this enforced inactivity was consolidated, in many cases, by something like simple disbelief over the fact that political decisions have been made to deny the opportunity for people to use their skills when there are well publicised skill shortages at a time of financial instability. One individual said that 'I feel totally useless. It is shocking. [Being able to work] would be good for Britain'. Another emphasised their situation as 'humiliating, sterile. I go mad being idle when I can do a lot to help myself and others'. It is unsurprising then that answers to these questionnaires also expressed frustration and anger. One person stated, when discussing the impacts of not being able to utilise their skills, 'you can see for yourself. Hopeless because I am idle...I am very angry'. Similarly one respondent stated they were 'frustrated, stressed and occasionally depressed. I struggle to find hope and purpose for living'. Emphasising a combination of both sheer frustration, and despair, another person said that 'it makes me feel sick. It is destroying me'. There has been, and currently are a number of campaigns focusing on reinstating the right to take up employment.²¹ These campaigns are reinforced by a growing range of reports and research based documents and as the Refugee Council has maintained; general provisions barring people from engaging with the world around them can, in some cases, have an impact of decreasing people's motivation to take up employment and training based opportunities at later dates.²² The reasons behind this are explained by one individual, a refused asylum seeker interviewed in a different context, who discussed that:

¹⁸ See Burnett, J. (2008) 'Mental health, destitution and asylum', *PAFRAS Briefing Paper No. 5*, Leeds: PAFRAS; and Burnett, J. (2009) 'The political economy of malnutrition', *PAFRAS Briefing Paper No. 10*, Leeds: PAFRAS.

¹⁹ Chebe, F. (2009) *Healthy Living Project Final Report*, Leeds: PAFRAS.

²⁰ Burnett, J. (2008) 'Mental health, destitution and asylum', *PAFRAS Briefing Paper No. 5*, Leeds: PAFRAS, p. 4.

²¹ See for example the 'Let Them Work' campaign at <http://www.refugeecouncil.org.uk/campaigning/letthemwork/>

²² Refugee Council (2005) *Forbidden Workforce: Asylum seekers, the employment concession and access to the UK labour market*, London: Refugee Council.

The discrimination that refugees face within the labour market has been well documented, and this can only be reinforced in a context where people have been through a process where they have not been able to maintain and develop their skills.

I'm intelligent, I could contribute, but I am not allowed to express myself. I can't really, I'm just stuck at home. This also damages my brain as well. Everyday has been taken away. I always imagine myself, if I was given a chance and someone said now you can, you know, you can work legally. I can imagine myself thinking well where will I start? All these years have been wasted.²³

In such a context the very act of 'deskilling' those seeking asylum, whatever stage they are at within the asylum process, works quite explicitly to hinder their prospects when, and if, they are later given leave to remain and enabled to work. The discrimination that refugees face within the labour market has been well documented,²⁴ and this can only be reinforced in a context where people have been through a process where they have not been able to maintain and develop their skills. This applies not only to specifically work related skills, but also with regard to the fact that many people are prevented from accessing ESOL courses and honing their English language proficiency. A number of the respondents in this research drew attention to this. One individual explained that they were 'very sad, bored, no future'. Another person expressed that they were 'wasting away, [and] idle which is harmful'; and one respondent simply put down 'frustrated, bored, useless, no hope'.

Conclusions

The asylum process, by design, ensures that thousands of people with a wide range of qualifications and employment histories are denied access to the labour market. If a claim for asylum is refused these barriers are compounded by explicit attempts to ensure that individuals have reduced opportunities to volunteer, or access education. As this paper has argued, one of the principle repercussions of these policy measures is that individuals are 'deskilled' by the asylum process. From one perspective this process has to be understood alongside and as part of the broader enforcement of destitution on refused asylum seekers. End of process asylum policy, in this context, underpins malnutrition, isolation, vulnerability, multiple health problems and exploitation. The emphasis on denying access to any form of social engagement, as part of this wider framework, gives a window into the extent to which the government is prepared to deny people access to the country around them, so as to force them to leave it. 'Home Office disease' is the evocative phrase used by one individual, interviewed in another context, to describe the human cost of such policies:

[M]any of 'us' have this disease. My head is not alright. I speak to myself now, am crazy. I was not like this before coming to this country; four years, no support. I don't sleep, in the morning I go on the street walking about with no purpose, I don't know what will happen tomorrow, sometimes I wonder why I am alive.²⁵

The construction of a formidable set of barriers preventing refused asylum seekers from utilising their energy and talents not only wastes qualifications and skills; it wastes lives.

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²³ Cited in Burnett, J. and Whyte, D. (2009, forthcoming) *The wages of fear: work, risk and undocumented work*, Leeds and Liverpool: PAFRAS and the University of Liverpool.

²⁴ See for example Charlaff, L. Ibrani, K. Lowe, M. Marsden, R. and Turney, L. (2004) *Refugees and Asylum Seekers in Scotland: A Skills and Aspirations Audit*, Edinburgh,: The Scottish Executive and the the Scottish Refugee Council.

²⁵ Cited in Chebe, F. (2009) *Healthy Living Project Final Report*, Leeds: PAFRAS, p. 7.