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Minority Ethnic Matters Overview

MEMO is produced by the Scottish Council of Jewish Communities in partnership with BEMIS - empowering Scotland's ethnic and cultural minority communities. It provides an overview of information of interes minority ethnic communities in Scotland, including parliamentary Activity at Holyrood and Westminster, new publications, consultations, forthcoming conferences and news reports.

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Note that some weblinks, particularly of newspaper articles, are only valid for a short period of time, usually around a month.

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The Scottish and UK Parliaments are in recess until 21 and 22 February 2010 respectively.

The next issue of MEMO will be 1 March 2010.

Immigration and Asylum

Holyrood Parliamentary Motion

S3M-5750 Anne McLaughlin: Florence and Precious Mhango Belong to Glasgow—That the Parliament congratulates asylum seekers Florence and Precious Mhango on winning their renewal application in the High Court in London; appeals to the Home Secretary not to put the mother and daughter through the additional stress of a full hearing; believes that, after living in the United Kingdom for almost seven years, they should be granted indefinite leave to remain and that the Home Secretary has it within his powers to do that, and applauds the passion and tenacity of the campaigners in Cranhill in the east end of Glasgow for their campaign to keep Florence and Precious Mhango in Glasgow where they belong.

http://www.scottish.parliament.uk/Apps2/business/motions/Default.aspx?motionid=18343

Immigration and Asylum (continued) Westminster Debates

Asylum (Designated States) Order 2010

http://www.publications.parliament.uk/pa/ld200910/ldhansrd/text/100209-gc0001.htm#100209101000353

Yarl's Wood Immigration Removal Centre

http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100210/debtext/100210-0019.htm#10021084000001

Westminster Ministerial Statements

Immigration and Nationality Services

Phil Woolas (Minister for Borders and Immigration): On 20 January 2010 I laid the regulations that set fees for immigration and nationality services that are above the normal administrative cost of providing the service. I am today laying regulations for fees that are set at or below the cost of processing. The Government review the fees on a regular basis and make appropriate changes as necessary.

These fees are set out in regulations and are subject to the negative procedure. The fees contained in these regulations are set at, or below the administrative cost of an application or process, in line with the Government's charging model. By charging below the administrative cost of delivery on the application types referred to in this instrument, the UK Border Agency is able to support wider Government objectives, particularly where it is believed that a cost recovery fee would be so high as to damage international competitiveness in this area, (e.g. for short term visit visa applications, tier 5 temporary work applications). To help enable this, the UK Border Agency sets fees for other application types above the cost of delivery. For transparency, I have included the estimated unit cost for each route, so that it is clear the degree to which certain routes are set at or below cost.

We have succeeded in limiting the extent of our general increases by taking a more targeted approach to fees adjustment which is consistent with both the UK Border Agency's strategic charging principles, and also with broader Government objectives. We have made amendments to the tier 4 (student) visa fee, introduced a fee for sponsor action plans and we have proposed a nominal 10 per cent. fee for all applications for UK-based dependants to reflect the fact that each individual brings a processing cost to us. Finally, we will continue to generate revenue to fund the transitional impacts of migration. The migration impacts fund has played a vital role in helping ease the pressures on certain communities. Full details of all fees changes are outlined in the explanatory memorandum accompanying these regulations.

I believe our proposals continue to strike the right balance between maintaining secure and effective border controls and ensuring that our fees structure does not inhibit the UK's ability to attract those migrants and visitors that make a valued contribution. It is right that those who benefit directly from the immigration system should pay to meet the costs of securing the UK's borders. This will help to support the immigration system, maintain public confidence, and ensure that migration is managed for the benefit of the UK.

Full details on how to apply for all of these services will be provided on our website: www.ukba.homeoffice.gov.uk.

To read the lengthy tables see

http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100210/wmstext/100210m0001.htm#10021062000013 and

http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100210/wmstext/100210m0002.htm

Immigration and Asylum Westminster Ministerial Statements (continued)

Tier 4: Student Visas

Alan Johnson (Secretary of State for the Home Department): Following the Prime Minster's announcement of a review of tier 4 (the student route under our points-based system for controlling migration) on 12 November 2009, I am today announcing a balanced and targeted package of measures to tackle the abuse of tier 4 by economic migrants while at the same time continuing to safeguard the ability of genuine international students to come to the UK to benefit from our world class education system and bring benefit to our economy.

The measures outlined below target abuse seen among adult students coming here to study below degree level in the further education and English language sectors. There are no changes for students who come here to study a foundation degree, courses at degree level or above or for those coming here as child students at our independent schools (except for a reduction in the number of hours a child student aged 16 or 17 may work to 10 hours per week) and the changes set out do not apply to these groups.

The review highlighted concerns about the numbers of individuals who were not serious about studying in the UK but who were primarily using tier 4 as a route to work. There were also concerns about dependants who have also historically enjoyed the right to work in the UK. While it is right that students should be able to undertake some work while in the UK to support themselves during their course, we need to ensure that the route is not abused by those whose primary intention is to enter the UK labour market. I am therefore today laying changes to the immigration rules which will:

halve the amount of time students can work during term time from 20 to 10 hours a week; ban students who are studying on courses of six months or less from bringing their dependants with them to the UK; and

ban students' dependants from working unless they qualify in their own right under tier 1 (General) as a highly skilled migrant or as a skilled worker under tier 2 (General), sportsperson or minister of religion.

All of these changes will come into force on 3 March 2010 and all tier 4 applications submitted on or after this date will be subject to the new restrictions.

In respect of English language courses, I am also announcing today that, from 3 March, we will change tier 4 Guidance to raise the minimum level of English language course which can be studied under tier 4 from A2 on the Common European Framework of Reference (CEFR) to B2-this is roughly the equivalent of GCSE standard. This is to ensure that tier 4 is less open to abuse from economic migrants seeking to exploit English language courses which have low entry requirements. There will, however, be exemptions from this for students sponsored by overseas Governments and for students on pre-sessional English language courses which prepare them for full degree courses, as these students are lower risk.

For the future, we also want to improve the security of the tests by which English language students are asked to demonstrate proficiency in English language. We are currently reviewing the criteria that approved providers will be required to meet, and will be introducing new arrangements for formal English language testing for tier 4 by early summer.

The review also looked fundamentally at the levels and types of courses which foreign students should be able to come to the UK to undertake through tier 4 of the points-based system. It concluded that changes needed to be made in a number of areas.

First, the review highlighted concerns that students were coming to study below degree level with a very low level of proficiency in the English language. This cannot be right. In addition, therefore, such students, in addition to those coming for English language courses, will be required to undertake a test with one of our approved test providers to demonstrate English language proficiency to at least level BI on the CEFR when we introduce this in the summer.

Immigration and Asylum Westminster Ministerial Statements (continued)

Secondly, in respect of lower level and work placement courses, the Government have previously set out their intention to introduce a new category of "Highly Trusted Sponsor" under the points-based system sponsorship arrangements. This new category of sponsor will be implemented on 6 April following a period of consultation with the education sector on the criteria against which sponsors wishing to be rated as "highly trusted" will be judged. In the first instance, publicly funded institutions will be treated as "highly trusted" but removed from this category should the UK Border Agency judge that they do not meet the criteria set; privately funded institutions will need to apply to the UK Border Agency to become highly trusted sponsors.

Following our review of tier 4, I can also announce that, from 6 April, only those with highly trusted status will be able to offer courses at National Qualifications Framework Level 3 (and its equivalents) and courses with work placements below degree level. Such courses are attractive to economic migrants and as such we believe they should only be offered by sponsors with a strong record of student compliance.

These measures will improve our control of tier 4 but should do little to deter genuine students whose main focus is study.

http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100210/wmstext/100210m0002.htm#10021062000014

Westminster Parliamentary Questions

UK Visas

Neil Gerrard: What recent changes have been made to the service provided by the hon. Members' inquiry line on UK visas. [315842]

Reply from Meg Hillier: The MPs' visa inquiry line was merged on 4 January with the UK Border Agency's main MPs' inquiry line to provide a single point of contact for hon. Members to inquire about constituency cases.

Neil Gerrard: I understand the theory that having a single point of contact is a good idea, but what seems to be happening in practice is that the inquiry line cannot answer any questions about visas so they go to the MP account manager, who then takes the matter up with the visa inquiry line people-and thus we go round in a circle. As a result, it is taking far longer to get replies and far longer for us to be able to respond to inquiries from constituents.

Reply from Meg Hillier: I am aware that a number of hon. Members used to contact posts direct, but that caused some difficulties because not all overseas posts had a dedicated visa inquiry line. That meant that a visa officer might often not have been available to take calls; it diverted visa officers from dealing with the cases in time; and it meant that they might have had to take certain things out of the queue. It is important that we have a fair access system, so I am happy to talk to my hon. Friend about his experiences, as a very assiduous constituency MP, in this matter. I am happy to arrange a meeting with him to discuss any particularly problematic cases.

http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100208/debtext/100208-0002.htm#10020813000022

Entry Clearances

Philip Davies: To ask the Secretary of State for the Home Department how many decisions on visa applications made at each British embassy or consulate were overturned by immigration judges in each of the last three years. [312836]

Reply from Phil Woolas: I have placed tables in the Library giving the requested information. Immigration statistics for October-December 2009 will be published on 25 February. UKBA monitors closely the reasons why appeals were overturned and uses the information to improve decision making quality.

Patrick Hall: To ask the Secretary of State for the Home Department how many visas were issued more than six months following a successful appeal against a refusal to issue entry clearance in 2009. [315146]

Reply from Phil Woolas: The information requested is not available and could only be obtained at disproportionate cost.

http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100205/text/100205w0 009.htm#10020537000113

Entry Clearances: Overseas Students

George Galloway: To ask the Secretary of State for the Home Department what estimate he has made of the number of students studying at colleges which have received and subsequently lost accreditation as a bona fide institution offering courses for overseas students. [314606]

Reply from Phil Woolas: 145 international students were granted entry clearance or given leave to remain in the United Kingdom under tier 4 of the points based system, to study at a private college which has since lost its accreditation.

George Galloway: To ask the Secretary of State for the Home Department what provision his Department makes for students studying at colleges which lose accreditation as a bona fide institution offering courses for overseas students to enable them to continue their studies. [314607]

Reply from Phil Woolas: Students studying under tier 4 of the points based system are given 60 days in which to find the same or similar course with a different sponsor and make a new application for leave to remain in the United Kingdom to the UK Border Agency.

http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100205/text/100205w0 009.htm#10020537000114

Student Visas (Fraud)

David T.C. Davies: What steps is [the Minister for Borders and Immigration] taking to reduce levels of fraud in relation to student visas. [315830]

Reply from Phil Woolas: We introduced the points-based system for students in March 2009. We estimate that around 2,000 colleges have ceased offering courses to overseas students as a result. Our review of tier 4 is aimed to close down the consequential attempts to gain entry to the UK for non-student purposes.

David Davies: Apart from language schools, colleges offering legitimate degree courses and other courses would be expected to have a high proportion of British nationals. The Home Secretary and his Ministers can almost certainly find many dubious, bogus colleges simply by investigating those with a surprisingly high number of foreign national students on their rolls. Why will they not do so?

Reply from Phil Woolas: We have done so, and we continue to do so. As I said, we estimate that around 2,000 colleges have had to withdraw courses for overseas students or close. Previously there was not a sponsored licence system. The great advantage of the points-based system is that we can now hold not just the student to account, but the sponsor too.

Rob Marris: My understanding is that across the subcontinent, in places such as Chandigarh, Jalandhar, Nepal and New Delhi, the UK Border Agency has temporarily ceased processing tier 4 student applications because of the huge volume of work. When will reprocessing recommence?

Reply from Phil Woolas: My hon. Friend is right. Precisely because we have the new system, we can monitor where we think there might be abuse. We have had to suspend tier 4 applications in three such posts. We will reopen those posts for applications as soon as possible, and we intend to lay out the findings of the new review as soon as possible.

Chris Grayling: Back in November, the Minister said: "We have clamped down on student visas now and we have a much better system." What has changed since then?

Reply from Phil Woolas: The hon. Gentleman is quick to criticise the points-based system. It is precisely because we can close down the bogus colleges, by having the sponsored licence system, that people who wish to abuse our hospitality then look for other methods to gain entry into the United Kingdom. He should know that controlling the borders is a constant campaign against those who wish to abuse our system. That is what we are doing, and I would welcome his support in that endeavour.

Chris Grayling: Three months ago the Minister said that "we have a much better system." There will obviously be a suspicion that the Government are simply delivering pre-election rhetoric in an area where there are widespread concerns. Let me test the Minister on the substance of the proposals. Yesterday he announced that people on student visas will now be allowed to work only 10 hours a week, not 20. Can he tell the House how many students have been prosecuted for working more than 20 hours a week?

Reply from Phil Woolas: It is clear that the hon. Gentleman drafts his questions based on a press cuttings service. What he described is neither what we said nor what the press reported, but let me assume that it is, just for his benefit. The proposals relating to dependencies and work times are for those at sub-degree level, as has been urged on us by some people. However, I repeat: I would seriously ask him to support the Government in this endeavour, otherwise he will rightly be accused of being more interested in criticising us than in providing an immigration system. We closed down the bogus colleges-around 2,000 of thembut there are attempts by some with bad intentions towards our country to get around that, so we have had to review that again.

http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100208/debtext/100208-0001.htm#10020813000014

Immigration System (Tier 4)

Rob Wilson: What recent assessment he has made of the effectiveness of the operation of tier 4 of the points-based immigration system. [315838]

Andrew Selous: What recent assessment he has made of the effectiveness of the operation of Tier 4 of the points-based immigration system. [315841]

Desmond Swayne: What recent assessment he has made of the effectiveness of the operation of tier 4 of the points-based immigration system; and if he will make a statement. [315847]

Reply from Phil Woolas: The review of tier 4 has made a number of recommendations, including the setting of a new minimum standard of English for those who wish to study at below degree level-including English language students-and measures to stop short-term students from bringing their dependants to the United Kingdom, to halve the amount of time for which students studying at below degree level can work, and to withdraw their dependants' permission to work. We will present consequential rules shortly.

To continue reading the lengthy question and answer session see http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100208/debtext/100208-0002.htm#10020813000020

Immigration Controls

Frank Field: To ask the Secretary of State for the Home Department how many employers have (a) requested and (b) been granted certificates of sponsorship under the Tier 2 (i) general and (ii) intracompany transfer categories in each month since October 2009. [312411]

Reply from Phil Woolas: The tables show how many sponsors have (a) requested and (b) been granted certificates of sponsorship under tier 2 general and tier 2 intra-company transfer categories of the points-based immigration system in each month since October 2009.

Number of sponsors requested certificates of sponsorship under tier 2				
	Migrant cla	Migrant classification		
	General	Intra-company transfer		
October 2009	1,550	595		
November 2009	1,485	585		
December 2009	1,435	580		
Total	4,470	1,760		

Number of sponsors gra	anted certificates of s	ponsorship under tier 2	
	Migrant classification		
	General	Intra-company transfer	
October 2009	1,315	560	
November 2009	1,280	545	
December 2009	1,355	545	
Total	3,950	1,650	

Notes:

- 1. Figures are rounded to nearest five.
- 2. The figures quoted are not provided under National Statistics protocols and have been derived from local management information and are therefore provisional and subject to change.

Frank Field: To ask the Secretary of State for the Home Department how many Tier 2 (a) general and (b) ICT certificates of sponsorship had (i) been requested, (ii) been allocated and (iii) were pending in each month since October 2009. [312413]

Reply from Phil Woolas: The following tables shows how many certificates of sponsorship, under tier 2 general and tier 2 intra-company transfer categories of the Points-based Immigration system have been (a) requested, (b) allocated and (c) were pending in each month since October 2009.

Certificates of sponsorship requested-Tier 2						
Migrant classificationOctober 2009November 2009December 2009T						
General	2,975	2,820	2,710	8,505		
Intra company transfer	2,885	2,985	3,270	9,140		

Certificates of sponsorship allocated-Tier 2							
Migrant classificationOctober 2009November 2009December 2009Total							
General	2,385	2,200	2,380	6,965			
Intra company transfer	2,580	2,550	2,555	7,680			

nip pending-Tier :	2		
October 2009	November 2009	December 2009	Total
985	955	790	2,735
1,070	910	865	2,845
	October 2009 985	October 2009 November 2009 985 955	October 2009 November 2009 December 2009 985 955 790

Notes:

- 1. Figures are rounded to nearest 5.
- 2. The figures quoted are not provided under National Statistics protocols and have been derived from local management information and are therefore provisional and subject to change.

http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100205/text/100205w0010.htm#10020537000117

Immigration: Children

Mike Hancock: To ask the Secretary of State for the Home Department whether the UK Border Agency keeps records of the number of unaccompanied minors arriving in the UK. [313611]

Reply from Phil Woolas: The UK Border Agency does not keep records of all unaccompanied children who arrive in the UK. Border force officers remain vigilant in identifying any arriving child who may be at risk of harm. When an unaccompanied child arrives, the border force officer must be satisfied that suitable arrangements have been made for the child's reception and welfare in the UK before allowing them entry. The UK Border Agency works closely with the police and children's services and will if appropriate alert them to any concerns.

Mike Hancock: To ask the Secretary of State for the Home Department what steps his Department has taken to identify unaccompanied minors who are suspected of being trafficked. [313612]

Reply from Phil Woolas: The Government's response to human trafficking is set out in their comprehensive 2007 Action Plan, which was updated in October 2009 and contains a number of specific measures to identify and protect child victims, including training for front line staff.

In December 2007 the Department for Children, Schools and Families and the Home Office published practice guidance, "Working Together to Safeguard Children Who May Have Been Trafficked" to help practitioners safeguard and promote the welfare of children who may have been trafficked. We also established with the NSPCC, a national Child Trafficking Advice and Information Line in October 2007 to support practitioners with advice on safeguarding vulnerable children believed to have been trafficked.

As part of our improved services for trafficked children under the Council of Europe Convention on Action Against Trafficking in Human Beings, we have introduced a National Referral Mechanism, which provides enhanced procedures for local agencies to identify, refer and support all victims of trafficking early on, including children. Alongside NRM, we are piloting a child trafficking assessment tool in 13 local authority areas, to trial a process for local practitioners to assess cases of separated children who may be trafficking victims and to take initial safeguarding action and make a referral to a Competent Authority under the NRM. From 2 November 2009, Section 55 of the Borders, Citizenship and Immigration Act (2009) placed a new duty on UKBA to safeguard children subject to immigration controls, including trafficked children and those seeking asylum. All UK Border Agency staff at operational and case working grades are required to complete training on how to identify potential victims of trafficking, which contains specific sections on the features of child trafficking.

Updated multi agency guidance was issued on 10 June 2009 and 1 July 2009 on children at risk of sexual exploitation and those who go missing from care both of which highlight how trafficked children may be identified and protected from harm. We have incorporated child trafficking into the cross Government "Staying Safe" Action Plan and established trafficking sub groups at local and regional levels.

http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100205/text/100205w0010.htm#10020537000118

Legal Aid: Asylum Seekers

Jim Cousins: To ask the Secretary of State for Justice if he will extend eligibility for legal aid to asylum seekers seeking to appeal against the withdrawal of support under section 4 of the Immigration and Asylum Act 1999 and section 21 of the Immigration and Asylum Act 2006. [316150]

Reply from Bridget Prentice: Legal aid is available for eligible people to obtain help and advice in respect of such an appeal. The Government do not believe it is necessary to extend public funding to representation. Doing so would be disproportionate to the complexity of the issues and evidence under consideration.

http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100209/text/100209w0033.htm#100209124000023

UK Border Agency: Asylum Seekers

Lord Dholakia

To ask Her Majesty's Government whether they will investigate claims that asylum seekers were mistreated by staff of the UK Border Agency.

Reply from Lord Brett: My Lords, an internal investigation into allegations that appeared in the Guardian newspaper on 2 February has been commissioned. The Home Office expects the highest levels of integrity and behaviour from all its members of staff and takes all allegations of inappropriate behaviour very seriously.

Lord Dholakia: My Lords, the jailing yesterday of Ali Dizaei 10 years after the Macpherson report on institutional racism clearly demonstrates that racist behaviour or racism of any kind is not acceptable. The Guardian report clearly illustrates the culture of impunity among some staff in the UK Border Agency. Will the Minister revisit the decisions taken by the agency in relation to asylum seekers who have been deported to ensure that racism played no part whatsoever, and will he ensure that the inquiry looks at the wider aspects of race relations in the agency?

Reply from Lord Brett: My Lords, I agree entirely with the noble Lord that racism should play no part in decision-making in relation to asylum issues, and I am rather astonished that he would claim that the fact that there has been an allegation means that there is impunity. We do not know that. We know that an allegation has been made that will be seriously investigated independent of the department and separate from the Cardiff office. People have been accused of things for which they have not yet been found guilty. If there is guilt to apportion, it will mean that lessons have to be learnt. The noble Lord's latter point of ensuring that there have been no deportations as a result of racism is important. The removal stage is reached only after consideration by the Immigration Appeal Tribunal. I am confident that the inquiry will find a solution to the problem and verify whether the allegations are correct. However, at this point I think we should work on the old premise that people are innocent until proven guilty.

To continue reading the lengthy question and answer session see http://www.publications.parliament.uk/pa/ld200910/ldhansrd/text/100209-0002.htm#10020975000498

Asylum: Children

Mike Hancock: To ask the Secretary of State for the Home Department how many unaccompanied minors have arrived in the country seeking asylum in each year since 1999; and how many of them were granted asylum. [313613]

Reply from Phil Woolas: The table shows the number of Unaccompanied Asylum Seeking Children (UASC) applications, initial decisions and grants of asylum, Exceptional Leave to Remain (ELR), Humanitarian Protection (HP) and Discretionary Leave (DL) between 1999 and September 2009. Statistics on UASC asylum decisions and outcomes until 2002 are not available. Figures only include initial decisions on UASC asylum applications and not any later asylum decisions (e.g. after appeal). Information on asylum applications is published annually in the Control of Immigration: Statistics United Kingdom bulletin which is available from the Library of the House and from the Home Office Research, Development and Statistics Directorate website at: http://www.homeoffice.gov.uk/rds/immigration-asylum-stats.html

Unaccompanied Asylum Seeking Children application s^(1, 2, 3) received in the United Kingdom, excluding dependants, and initial decisions⁽⁴⁾ on applications by year, all nationals

	Applic	Applications		Total decisions ⁽	Grants of asylum	Grants of ELR ⁽ ⁵)	Grants of HP ⁽⁵⁾	Grants of DL ⁽⁵⁾
	Total	Port	In- country	Number	Total granted	Total ELR	Total HP	Total DL
1999	3,350	1,500	1,850	(6)_	(6)_	(6)_	(7)_	(7)_
2000	2,735	1,395	1,340	(6)_	(6)_	(6)_	(7)_	(7)_
2001	3,470	1,645	1,820	(6)_	(6)_	(6)_	(7)_	(7)_
2002	6,200	1,240	4,955	6,990	585	4,830	(7)_	(7)_
2003	3,180	645	2,535	3,835	150	1,255	15	1,525
2004	2,990	540	2,455	3,440	85	⁽⁷⁾ _	20	2,505
2005	2,965	445	2,520	2,835	150	⁽⁷⁾ _	20	1,965
2006	3,450	395	3,055	2,880	195	(7)_	10	1,960
2007	3,645	480	3,165	3,385	445	(7)_	15	1,780
2008 ⁽⁸⁾	4,285	380	3,905	3,375	335	⁽⁷⁾ _	15	1,795
January- September 2009 ⁽⁸⁾	2,400	200	2,200	2,645	265	(7)_	15	1,490

⁽¹⁾ Figures are rounded to the nearest five and may not sum to the totals shown because of independent rounding.

 $\frac{http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100205/text/100205w0}{008.htm\#10020537000101}$

Figures exclude cases where the age of the applicant is disputed.

⁽³⁾ An Unaccompanied Asylum Seeking Child (UASC) is a person under 18, or who, in the absence of documentary evidence establishing age, appears to be under that age; is applying for asylum in his or her own right and; is separated from both parents and is not being cared for by an adult who by law or custom has responsibility to do so.

The year of asylum application may not be the same as the year of initial asylum decision.

⁽⁵⁾ Humanitarian Protection (HP) and Discretionary Leave (DL) replaced Exceptional Leave to Remain (ELR) from 1 April 2003.

⁽⁶⁾ Not available.

⁽⁷⁾ Not applicable.

⁽⁸⁾ Provisional figures.

UK Border Agency

Simon Hughes: To ask the Secretary of State for the Home Department what assessment he has made of the merits of allowing regional offices of the UK Border Agency to accept further representations from asylum applicants who claimed asylum before March 2007. [315850]

Reply from Phil Woolas: In October we made important improvements to the security and efficiency of the asylum system by requiring applicants wishing to put in further submissions relating to their asylum claim to do so in person. Regional asylum teams were set up in 2007 to deal with newer asylum claims. Those teams are receiving further submissions in those newer cases but do not have the operational capacity to receive further submissions from all cases in the "legacy" caseload. However, we have established exceptional criteria for those unable to travel.

http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100208/text/100208w0019. htm#10020846000005

Deportation

Chris Grayling: To ask the Secretary of State for the Home Department pursuant to the answer of 14 January 2010, *Official Report*, column 1091W, on deportation, how many charter flights removing people with no right to remain there were in 2008-09; and how many people were removed from the UK upon such flights. [312099]

Alan Johnson: In the financial year April 2008 to April 2009 there were 67 charter flights removing people with no right to remain in the UK, with 1,658 individuals removed. These figures do not constitute part of National Statistics as they are based on internal management information. The information has not been quality assured under National Statistics protocols and should be treated as provisional and subject to change. The Home Office publishes statistics on the number of persons who were removed or departed voluntarily from the UK on a quarterly and annual basis. Annual statistics for 2008 and the latest statistics for Quarter three 2009 are available from the Library of the House and from the Home Office Research, Development and Statistics Directorate website at:

www.homeoffice.gov.uk/rds/immigration-asylum-stats.html

http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100208/text/100208w0020.htm#10020846000016

Human Trafficking

Mike Hancock: To ask the Secretary of State for the Home Department pursuant to the answer to the hon. Member for Totnes of 30 November 2009, *Official Report*, column 486W, on human trafficking, how many cases the 180 specialists with the UK Border Agency dealt with in the last 12 months; and what average amount of time was spent on each case. [313656]

Reply from Phil Woolas: In the first nine months since a National Referral Mechanism for identifying and protecting trafficking victims was established in April 2009, 405 cases have been referred to specialist decision-makers in UKBA competent authorities, either directly or through the UK Human Trafficking Centre. Each case is unique and a case owner will devote as much time as is needed to reach an informed decision, including by consulting with other relevant agencies such as the police, children's services and support providers. In some instances, competent authorities may also need to conduct or commission a further interview to gather more evidence. The timing will vary greatly depending on whether the initial 'reasonable grounds' decision is positive, how complex the case is, the ability of the potential victim to provide information and how prompt other parties are in responding to queries for more information or reports. But it would not be unusual for a competent authority to spend two to four days in total on a given case.

http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100205/text/100205w0009. htm#10020537000115

Immigration and Asylum (continued) Westminster Early Day Motion

Diane Abbott (811) Children in immigration removal centres – That this House notes the £100,000 settlement paid by the Home Office to Carmen Quiroga and her children for their false imprisonment in Oakington Detention Centre for 42 days; is concerned about the increasing length of time families are detained for, with some being detained for over 120 days; is further concerned over the psychological damage that may occur in children following any period of detention; notes that Oakington was initially meant to be used as a short-term measure and closed in 2006, yet has been in operation for 10 years; recognises Chief Prison Inspector Anne Owers' report on detention centres condemning the use of child imprisonment; and urges the Government to extend the provisions of the relevant children's legislation to include children in detention.

http://edmi.parliament.uk/EDMi/EDMDetails.aspx?EDMID=40411&SESSION=903

European Parliament

Resolution on preventing trafficking in human beings

http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2010-0018+0+DOC+XML+V0//EN&language=EN

Press Release

Tougher rules for foreign students

http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2010/February/tougherrules-for-foreign-stud

News

Foreign student visas cut to stem illegal migrants

http://www.heraldscotland.com/news/home-news/foreign-student-visas-cut-to-stem-illegal-migrants-1.1004432

Crackdown on student visa abuse

http://www.pressandjournal.co.uk/Article.aspx/1595847

Investigation into human trafficking in Scotland

http://news.bbc.co.uk/1/hi/scotland/8505028.stm

Scotland-wide inquiry into sex trafficking

http://www.heraldscotland.com/news/crime-courts/scotland-wide-inquiry-into-sex-trafficking-1.1004882

Minister 'admits paying millions to detained migrants'

http://news.bbc.co.uk/1/hi/uk/8509417.stm

Asylum pair win judicial review

http://news.bbc.co.uk/1/hi/scotland/glasgow and west/8510526.stm

Legal boost for mum, daughter over deportation

http://www.eveningtimes.co.uk/news/editor-s-picks-ignore/legal-boost-for-mum-daughter-over-deportation-1.1005690

Immigration and Asylum

News (continued)

New hope in Precious deportation fight

http://thescotsman.scotsman.com/news/New-hope-in--Precious.6066582.jp

Judicial review to be held into planned deportation of Precious Mhango and mother Florence

http://www.heraldscotland.com/news/home-news/judicial-review-to-be-held-into-planned-deportation-of-precious-mhango-and-mother-florence-1.1005780

Immigration: a plan to alter the nation's soul

http://www.telegraph.co.uk/comment/columnists/janetdaley/7231568/Immigration-a-plan-to-alter-the-nations-soul.html

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Race Relations

Press Release

New UNESCO panel seeks to identify how to bolster tolerance worldwide http://www.un.org/apps/news/story.asp?NewsID=33674&Cr=unesco&Cr1

New publication

Conservatism and Community Cohesion

 $\frac{http://www.runnymedetrust.org/uploads/publications/pdfs/ConservatismAndCommunityC}{ohesion-2010.pdf}$

News

Englishness: the forbidden identity http://www.ippr.org.uk/articles/?id=3885

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Equality

New publication

Joint Committee on Human Rights

Allegation of Contempt: Mr Trevor Phillips

http://www.publications.parliament.uk/pa/jt200910/jtselect/jtrights/56/56.pdf

News

Equalities chief Trevor Phillips faces contempt probe

http://news.bbc.co.uk/1/hi/uk_politics/8508626.stm

Equality News (continued)

Equalities watchdog chief Trevor Phillips 'tried to influence inquiry'

http://www.independent.co.uk/news/uk/politics/equalities-watchdog-chief-trevor-phillips-tried-to-influence-inquiry-1895474.html

Appeal court backs airline in Christian row

http://www.heraldscotland.com/news/home-news/appeal-court-backs-airline-in-christian-row-1.1006152

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Racism and Religious Hatred

Westminster Early Day Motion

Andrew Dismore (850) Jewish News investigation into Facebook anti-semitism – That this House congratulates Jewish News on its investigation into the use of Facebook to promote anti-Semitism; notes the posting of graphic details of anti-Semitic incidents perpetrated by members of the Facebook group launched by a student at Loxford School of Science and Technology, expressed in the most foul and abusive language; is appalled by the casual way that the youths responsible display their anti-Semitism; further notes that these revelations have come to light at a time when the Community Security Trust has published figures showing 924 anti-Semitic incidents during 2009, more than in any other year since records began in 1984; and calls on the Secretaries of State for Children, Schools and Families and Business, Innovation and Skills to investigate these incidents and the use of Facebook generally to promote messages of hate, and to report to Parliament on their conclusions.

http://edmi.parliament.uk/EDMi/EDMDetails.aspx?EDMID=40450&SESSION=903

New publication

Islamophobia and anti-Muslim hate crime: a London case study http://centres.exeter.ac.uk/emrc/publications/Islamophobia and Anti-Muslim Hate Crime.pdf

News

Hatred on our streets

http://scotlandonsunday.scotsman.com/opinion/Hatred-on-our-streets.6070663.jp

Turning a blind eye on the campaign trail as BNP targets prize seat http://www.timesonline.co.uk/tol/news/politics/election 2010/article7025463.ece

BNP votes to ditch whites-only membership rule http://news.bbc.co.uk/1/hi/uk politics/8514736.stm

'Every Hindu and Sikh should be praising the BNP'

http://www.guardian.co.uk/politics/2010/feb/11/bnp-nonwhites-members-sikh-join

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Other Holyrood

News

Boo, text and pod for Holyrood's Petitions Committee

http://www.scottish.parliament.uk/nmCentre/news/news-comm-10/cpp10-s3-001.htm

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Other Westminster

Debate

Anti-Slavery Day Bill

http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100205/debtext/100205-0004.htm#10020534000004

Parliamentary Questions

Forced Marriage

Margaret Moran: To ask the Secretary of State for the Home Department (1) whether he has plans to increase the level of funding allocated to the Forced Marriage Unit for expenditure on services provided by the third sector; [315084]

- (2) by what mechanisms the outcomes achieved by third sector organisations funding by the Forced Marriage Unit are evaluated; [315082]
- (3) what the procedure is for (a) bidding for Forced Marriage Unit funding and (b) assessing such bids. [315083]

Reply from Alan Campbell: The joint Foreign and Commonwealth Office and Home Office Forced Marriage Unit (FMU) was set up in 2005 and initially provided ad hoc funding to initiatives run by the third sector. To give this support more structure, the FMU piloted a domestic programme fund of £65,000 in 2008-09. This was aimed specifically at funding third sector projects which help deliver the Unit's published Action Plan. For 2009-10 the initiative was continued and the fund increased to £84,000. Funding allocations for the FMU in 2010-11 have not yet been set. It is important to remember that Government funding for third sector activity to help tackle forced marriage is not only available via the FMU, for example funding can also be sought from Government Offices.

For financial year 2009-10, applications for funding from the FMU Domestic Programme Fund were invited via the FCO website from June 2009. Bids were submitted using a standardised application form which was publicly available. Bids were assessed against a common set of criteria including value for money, likely impact, support to the objectives laid out in the FMU Action Plan, and a clear and measurable reporting process to ensure transparency and accountability. The fund is designed to fund small projects rather than core funding to organisations. Organisations that had previously received funding were only eligible to bid for further funding where they were up to date on reporting to the FMU. Project implementers were required to be from the voluntary sector. Partnership with local government was strongly encouraged but applications solely from local government organisations were not considered. Applications were then assessed by a panel including FMU staff.

Organisations funded by the FMU are required to submit reports on activities undertaken as well as on monies spent to demonstrate achievements set against

Other Westminister Parliamentary Questions (continued)

the agreed project objectives and value for money. The frequency of reports will depend on the duration of the project. All projects are required to submit final outcome and financial reports upon completion. Reports are evaluated by FMU staff. Where needed, staff will ask for supplementary information. In addition, where reports clearly identify national learning this information is considered and shared with other stakeholders where appropriate.

http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100208/text/100208w0020.htm#10020846000021

Forced Marriage

Margaret Moran: To ask the Secretary of State for the Home Department how many people affected by forced marriage have received (a) direct assistance from the Forced Marriage Unit and (b) assistance from third sector organisations funded by the Forced Marriage Unit. [315081]

Reply from Alan Campbell: In 2009, the Forced Marriage Unit (FMU) helpline gave advice and support in 1,682 separate instances of possible forced marriage (this figure counts multiple calls on one case as one "instance") and the unit itself dealt with 375 cases of forced marriage. The FMU is committed to working closely with the third sector to provide victims with the full range of support and assistance and has increased funding to third sector organisation over recent years.

It is not possible to provide statistics for the number of people affected by forced marriage who received assistance from third sector organisations funded by the unit in financial year 2009-10. This is because the projects are ongoing and the outcomes of the projects are not necessarily quantifiable in these terms. Funds were provided, for instance, for projects designed to increase awareness of forced marriage and appropriate responses to it among various professional, peer and community groups. It is not possible to accurately assess the number of individuals engaged by these projects that have themselves already been directly affected by forced marriage. Going forward, the FMU are working with Governmental and non-governmental partners to build the best statistical picture possible.

http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100209/text/100209w0026.htm#100209109000038

Press Releases

Launch of new guidance on remittances

http://www.dfid.gov.uk/Media-Room/Press-releases/2010/Launch-of-new-guidance-on-remittances/

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Other News

Sikh judge Sir Mota Singh criticises banning of Kirpan http://news.bbc.co.uk/1/hi/uk/8500712.stm

Ceremonial dagger 'part of the body' say devout Sikhs http://news.bbc.co.uk/1/hi/uk/8504073.stm

Other News (continued)

Let Sikhs wear ceremonial daggers in public, says UK's first Asian judge

http://thescotsman.scotsman.com/news/Let-Sikhs---.6053713.jp

Hindu wins Northumberland funeral pyre battle

http://news.bbc.co.uk/1/hi/england/tyne/8507811.stm

Tories announce plans to crackdown on travellers' sites

http://www.heraldscotland.com/news/politics/tories-announce-plans-to-crackdown-on-travellers-sites-1.1005983

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Bills in Progress ** New or updated this week

Holyrood

End of Life Assistance Bill

http://www.scottish.parliament.uk/s3/bills/38-EndLifeAssist/index.htm

** Public Services Reform Bill

http://www.scottish.parliament.uk/s3/bills/26-PubSerRef/index.htm

proposed amendments

http://www.scottish.parliament.uk/business/businessBulletin/bb-10/bb-02-10g.htm

Stage 2 consideration of amendments

http://www.scottish.parliament.uk/s3/committees/finance/or-10/fi10-0402.htm#Col1855

Scottish Parliamentary Commissions and Commissioners etc. Bill

http://www.scottish.parliament.uk/s3/bills/39-SPCC/index.htm

Bills in Progress Westminster

** Equality Bill

http://services.parliament.uk/bills/2009-10/equality.html

proposed amendments

http://www.publications.parliament.uk/pa/ld200910/ldbills/020/amend/ml020-vi.htm

Committee Stage, House of Lords

http://www.publications.parliament.uk/pa/ld200910/ldhansrd/text/100209-

0005.htm#10020975000504

and

http://www.publications.parliament.uk/pa/ld200910/ldhansrd/text/100209-

0013.htm#100209122000155

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Consultations

(closing date)

** new or updated this week

** closes next week!

Charities and Trustee Investment (Scotland) Act 2005: Consultation on Options for the Implementation of the Scottish Charitable Incorporated Organisation (SCIO) (26 February 2010)

http://www.scotland.gov.uk/Resource/Doc/292195/0090094.pdf

Equality Bill: Draft Codes of Conduct (2 April 2010

http://www.equalityhumanrights.com/legislative-framework/equality-bill/equality-billcodes-of-practice-consultation/#1

Options for future charity appeals route in Scotland (5 April 2010)

http://www.scotland.gov.uk/Resource/Doc/48453/0093191.pdf

** Inquiry into Migration and Trafficking (9 April 2010)

http://www.scottish.parliament.uk/s3/committees/equal/inquiries/migration/mtcallforev.htm

Equality Bill: Draft Guidance (16 April 2010)

http://ehrc-consult.limehouse.co.uk/portal

Death Certification, Burial, and Cremation (Scotland) (21 April 2010)

http://www.scotland.gov.uk/Resource/Doc/300112/0093686.pdf

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Job Opportunities

Click here to find out about job opportunities advertised in MEMO+ Recruitment

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Events/Conferences/Training ** New or updated this week

** this week!

The Gathering

18 - 19 February in Edinburgh

National voluntary sector fair. For information see

http://www.gatherscotland.org.uk/Home/Home.aspx

** this week!

The Housing Rights of Refugees: Supporting those with Leave To Remain into appropriate housing

18 February 2010 in Glasgow

Scottish Refugee Council course for people working with refugees who need a comprehensive knowledge of their rights to housing in Scotland. It is particularly relevant to professionals assisting refugees to access services or to organisations providing these services directly. For information contact Jamie Spurway 0141 248 9799 / jamie.spurway@scottishrefugeecouncil.org.uk or see

http://www.scottishrefugeecouncil.org.uk/training/forms/Notes?formID=66

Events/Conferences/Training (continued)

** this week!

Human Rights in Scotland: Action Planning on Economic, Social and Cultural Rights

19 February 2010 in Edinburgh (11.00 – 12.30)

SCVO seminar to investigate whether the Scottish Government action plan on children's rights can serve as a model for similar action planning in relation to economic, social and cultural rights. For information contact Nancy Fancott nancy.fancott@scvo.org.uk

** next week!

Migrants in the Recession: Supporting Migrant Workers in Scotland

23 February 2010 in Dundee

Scottish Migrants Network Conference for support organisations in Scotland to share policy and practice on new migrant issues. This will be followed by an evening discussion at which new migrants will be able to discuss their experiences with politicians, and a Health and Safety Executive sponsored advice session for new migrants. For information contact Jason Bergen ibergen@oxfam.org.uk / 0141 285 8850 or Seonad Forbes seonad@paih.org / 0141 353 2220

** next week!

E-conference on Ethnic Profiling

23-24 February 2010

Runnymede e-conference to mark the publication of a paper on ethnic profiling. To participate register from early February at www.runnymedetrust.org or contact kjartan@runnymedetrust.org

** next week!

Domestic Abuse and BME Children & Young People

25 February 2010 in West Lothian (9.30 – 12.30)

11 March 2010 in Midlothian (9.30 – 12.30)

25 March 2010 in Edinburgh (9.30 – 12.30)

Shakti training providing an opportunity for staff working with children and young people to gain greater understanding of how domestic and culture-based abuse affects black minority ethnic (BME) children and young people. For information contact info@shaktiedinburgh.co.uk / 0131 475 2399.

An Introduction to Working with Asylum Seekers & Refugees

2 March 2010 in Glasgow

Scottish Refugee Council course is for people working with asylum seekers and refugees who need a comprehensive understanding of the core issues affecting those seeking sanctuary in Scotland. It is particularly relevant to people working in social work, housing, welfare, education, employment, health, community development or the justice system. For information contact Jamie Spurway jamie.spurway@scottishrefugeecouncil.org.uk / 0141 248 9799 or see

http://www.scottishrefugeecouncil.org.uk/training/forms/Notes?formID=82

Faith. Culture & Honour

4 March 2010 in Glasgow (10.00 – 4.00)

Seminar by Amina Muslim Women's Resource Centre in collaboration with Hemat Gryffe Women's Aid to explore domestic abuse, rape, forced marriage, female genital mutilation, honour killing, and the role of faith, culture and honour in understanding them. For information contact Tabassum Sarfraz tabassum@mwrc.org.uk / 0141 585 8026

Events/Conferences/Training (continued)

Domestic Abuse and BME Women and their Children

4 March 2010 in Edinburgh (9.30 – 4.30)

10 March 2010 in Edinburgh (9.30 – 4.30)

Shakti seminars to explore the link between domestic abuse and culture, community and faith, and barriers that minority ethnic women face in accessing services. For information contact Thilini or Mirdul info@shaktiedinburgh.co.uk / 0131 475 2399

Tackling Poverty and Social Exclusion in Europe through Education for Democratic Citizenship and Human Rights Education

4 -5 March 2010 in Glasgow

BEMIS conference to highlight the topic of tackling poverty and social exclusion, share experiences from EU and Scotland, and debate progress since the Lisbon Treaty. For information contact Tanveer Parnez conference@bemis.org.uk / 0141 548 8047.

Judge a Book by its Cover? Not me!

11 March 2010 in Edinburgh (10.00 – 12.00)

SCVO seminar to discover more about the process of stereotyping, and how misinformed judgements may lead to prejudice and discrimination. For information contact Jane Baillie jane.baillie@scvo.org.uk / 0131 474 8019

Working with Interpreters

18 March 2010 in Glasgow

Scottish Refugee Council course for those who work with non-English speaking service users, including asylum seekers and refugees, who need a comprehensive understanding of how to work with interpreters. For information contact Jamie Spurway jamie.spurway@scottishrefugeecouncil.org.uk / 0141 248 9799 or see http://www.scottishrefugeecouncil.org.uk/training/forms/Notes?formID=80

** Human Trafficking and the Criminal Process

18 March 2010 in Glasgow (10.00 – 4.30)

Legal Services Agency conference about working with Victims of Trafficking and the Criminal Justice System. For information contact 0141 353 3354 or see http://www.lsa.org.uk/humantraffickingandthecriminalprocess 1.aspx

Sustaining and Reinventing Community Regeneration

24 - 25 March 2010 in Edinburgh

SURF annual conference to explore the realities of delivering regeneration in Scotland's most disadvantaged communities. In doing so, we will showcase the assets and resources that are at hand to support and sustain regeneration. For information see http://www.scotregen.co.uk/events/default.asp?ItemID=1099 or contact Derek Rankine derek@scotregen.co.uk / 0141 585 6879.

An Introduction to the Needs and Experiences of Refugee Women

9 April 2010 in Glasgow

Scottish Refugee Council course for people working with asylum seekers and refugees who need a comprehensive understanding of the core issues affecting women seeking sanctuary in Scotland. For information contact Jamie Spurway

<u>jamie.spurway@scottishrefugeecouncil.org.uk</u> / 0141 248 9799 or see http://www.scottishrefugeecouncil.org.uk/training/forms/Notes?formID=77

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Useful Links

Scottish Parliament http://www.scottish.parliament.uk/home.htm

Scottish Government http://www.scotland.gov.uk/Home

Westminster Parliament http://www.parliament.uk/

Directgov (links to UK Government Departments)

http://www.direct.gov.uk/DI1/Directories/AToZOfCentralGovernment/fs/en?CONTENT_ID =10013528&chk=8b2gQw

European Parliament http://www.europarl.eu.int/parliament/public.do?language=en

One Scotland Many Cultures http://www.scotlandagainstracism.com/

Scottish Refugee Council www.scottishrefugeecouncil.org.uk

Scottish Inter Faith Council http://www.scottishinterfaithcouncil.org/

Equality and Human Rights Commission http://www.equalityhumanrights.com/
Scotland Helpline 0845 604 5510

Scottish Human Rights Commission http://scottishhumanrights.com/

ACAS www.acas.org.uk

SCVO http://www.scvo.org.uk/scvo/Home/Home.aspx

Volunteer Development Scotland www.vds.org.uk

Social Economy Scotland http://www.socialeconomyscotland.info/content/index.asp

Office of the Scottish Charity Regulator (OSCR) http://www.oscr.org.uk/Index.stm

Central Registered Body for Scotland (CRBS) http://www.crbs.org.uk/

Disclosure Scotland http://www.disclosurescotland.co.uk/

BBC News24 http://news.bbc.co.uk/1/hi/default.stm

BBC Parliament online

http://news.bbc.co.uk/1/hi/programmes/bbc_parliament/default.stm

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The **Scottish Council of Jewish Communities (SCoJeC)** is the representative body of all the Jewish communities in Scotland. It advances public understanding about the Jewish religion, culture and community, and also works in partnership with other organisations to promote good relations and understanding among community groups and to promote equality. (Scottish Charity SC029438) http://www.scojec.org/



BEMIS is the Scottish national Ethnic Minorities led umbrella body, supporting, empowering, and building the capacity of minority third sector community organisations. As a strategic partner with Government, it is proactive in influencing the development of race equality policy in Scotland, and helps develop and progress multicultural Scotland, active citizenship, democracy, and Human Rights Education at the Scottish, UK, and European levels. http://www.bemis.org.uk/index.html



The **Scottish Government** is committed to promoting equality of opportunity and social justice for all those who live in Scotland. **One Scotland** is the Scottish Government campaign designed to tackle racism. It aims to raise awareness of racist attitudes, highlight its negative impact and recognise the valuable contributions that other cultures have made to our society – and make Scotland no place for racism. http://www.scotlandagainstracism.com/