

**STATEMENT FROM BISHOP PATRICK O'DONOGHUE, CHAIRMAN,
OFFICE FOR REFUGEE POLICY, CATHOLIC BISHOPS' CONFERENCE OF
ENGLAND AND WALES, ON THE ASYLUM AND IMMIGRATION BILL 2003**

Refugees are victims of unjust social, economic and political structures of societies, violations of fundamental human rights and of brutal conflicts. They need to flee their countries for protection and survival. They should not be deterred, obstructed or forcibly returned to a country where their human rights may be violated. They should be allowed access to fair determination procedures and treated humanely while their claims are examined. Such standards are provided in the UN Refugee Convention, the Universal Declaration of Human Rights and the European Convention on Human Rights.

Regrettably, some Clauses in the Asylum and Immigration (Treatment of Claimants, etc) Bill all short of these standards:

a.. The denial of welfare support to failed asylum-seeker families, including the removal of their children into care. The government's argument that children should be taken into care for their own protection, as their parents will be destitute, is disingenuous. The law states that if parents cannot care for their children for financial reasons, then local authorities have the right to make payments to prevent family fragmentation. In public policy, the interest of children and the integrity of the family are always paramount. The government must be aware that this proposal could drive asylum-seeker families 'underground' to prevent the loss of their children. Such a policy will exacerbate the increasing levels of destitution of asylum seekers caused by Section 55.

a.. The creation of a single-tier appeal system and the 'ousting' of the High Court, the Court of Appeal and House of Lords on decisions regarding asylum. The current success level of 20% of appeals show that a two-tier appeals system is an important check on asylum decision-making. The legal community has often spoken about the constitutional importance of access to the High Courts, particularly on asylum cases, where a wrong decision can be fatal.

I urge the government to amend the above Clauses in the Bill. I hope the government will recognise the long term benefits of genuinely fair and efficient procedures which are expeditious but equally capable of identifying and protecting genuine asylum seekers.