

Supporting the successful Integration and settlement of ethnic minorities, refugees, migrants and other isolated communities

Ruling frees asylum seekers to work

A landmark legal ruling has paved the way for thousands of asylum seekers in the UK to be allowed to work. The High Court has ruled that current laws preventing an Eritrean asylum seeker from taking a job are incompatible with the European Convention on Human Rights.

Legal experts said the test case would have major impact for others seeking asylum.

The Eritrean man, called Tekle, who cannot be returned to his home country because it is considered too dangerous, has been in the UK for seven years while his case is considered. Thousands of asylum seekers from other countries also considered too dangerous to return to - including Iran, Iraq, Somalia and Zimbabwe - are in a similar position.

The ruling has no bearing on the 300,000-plus asylum seekers whose applications are being fast-tracked because they do not come from countries considered no-go areas. But Caroline Slocock, chief executive of the Refugee Legal Centre, said the ruling would affect a significant category who found themselves destitute and in limbo. 'We expect it to be in the thousands,' she said.

Mr Justice Blake ruled that a blanket ban was "unlawfully over-broad and unjustifiably detrimental to claimants who have had to wait as long as this claimant has". He said the Home Office's policy breached article 8 of the convention, which guarantees the "right to respect for private and family life".

Source Jamie Doward and Gaby Hinsliff, *The Observer*, Sunday 14 December 2008

Inside: Chinese New Year!



Welcoming the Ox this year, we welcomed the Year of the Ox which is the sign representing solemn hard work and prosperity - an animal that appears aptly symbolic in these times for us all. And even more on this inside, along with other news and information...

Identity cards for foreign nationals to extend to further immigration categories - **UPDATED**

Regulations presented before Parliament on the 9 February mean that even more successful applicants for leave to remain from outside the European Economic Area (EEA) are expected to receive identity cards for foreign nationals.

The cards replace the stickers or vignettes in passports. Subject to Parliamentary approval of the regulations, those applying for further leave to remain in the United Kingdom in the following categories will be required to provide their biometrics (fingerprints and photograph) as part of their application from 31 March 2009:

Immigration category	Additional information
Postgraduate doctors and dentists	These applicants are not currently required to enrol their biometrics, but from 31 March they will be treated as students and required to apply for leave under Tier 4 of the points-based system. They will also have to apply for an identity card for foreign nationals if entering after this date.
Academic visitors granted leave for a period exceeding six months	The total stay in the United Kingdom is more than six months, up to a maximum period of 12 months.
Visitors for private medical treatment	Where the applicant is required to extend their stay in the United Kingdom so that they are able to complete private medical treatment.
Domestic workers in a private household	Applies to overseas domestic workers who have accompanied a person entitled to live in the United Kingdom and are applying to extend their permission to stay in the country based upon their employment as domestic workers.
United Kingdom ancestry	Covers people who are Commonwealth citizens, have a British grandparent and can demonstrate a link with the United Kingdom.
Retired persons of independent means, and their partners and children	This category is no longer open to new applicants, but where a person is already in the United Kingdom under this category they may extend their leave on the same basis. It applies to

	persons aged over 60 with substantial means to support themselves.
Sole representatives	These are overseas employees recruited by an overseas company to act as their sole representative in the United Kingdom.

In addition, those applying while in the United Kingdom for a transfer of existing conditions from a passport or other such document will also receive an identity card instead of a stamp or vignette, if their application is successful. These categories are expected to join students and spouses and civil or unmarried partners of permanent United Kingdom residents and their dependents granted further leave to remain, who were the first to receive the card from 25 November 2008. From 31 March, the student categories will be amended to reflect the introduction of tier 4 of the points-based system. Anyone applying under this tier to extend their stay in the United Kingdom will also be required to enrol their biometrics. Foreign nationals seeking indefinite leave to remain and the settled population remain unaffected by the changes.

Recording biometrics before deciding whether to grant leave has already proved successful, with three prosecutions for leave to remain by deception since the UK Border Agency went live with cards in November. These add to the six prosecutions resulting from the pilot that took place last year to test the processes and technology behind biometric enrolment.

There are several other cases currently under investigation where we expect similar results, as well as refusals of leave where matches have revealed a failure to disclose information. These successes demonstrate the effectiveness of biometric checks in tackling immigration abuses and reducing illegal working, misuse of public funds and identity fraud.

For people who are here legally, the card safeguards their identity and provides a convenient and extremely secure way to prove their right to live and work here, making it easier for employers and public service providers to understand their entitlements.

Remember, if you need this article explained to you, or if need to see how it may affect you simply Telephone our office for an appointment on 01279 639442



Government's new bill shakes up the route to citizenship

A bill to make newcomers to the UK earn the right to stay in UK and having their Citizenship was published in Parliament on 15 January 2009.

The Borders, Citizenship and Immigration Bill will lay down a radical new approach to British citizenship that will require all migrants to speak English and obey the law if they want to gain citizenship and stay permanently in Britain - while speeding up the path to citizenship for those who contribute to the community by being active citizens.

Under the new system, full access to benefits and social housing will be reserved for citizens and permanent residents - which means if you are not a citizen full access to benefits will not be allowed.

Foreign nationals who commit serious offences already face automatic consideration for deportation – these earned citizenship proposals go further. Anyone sent to prison will face removal, and even those committing minor offences will normally need to wait until their conviction is spent before they can become citizens. These measures will work alongside the new points-based system to ensure that only those people the country needs can come - and stay - here. It is believed that this system will allow the Government to manage immigration which in turn will help contribute to future population projections and control.

Border and Immigration Minister Phil Woolas said:
"We are clear that newcomers should speak English, work hard, and earn the right to stay here - and only get British citizenship once they have proved their commitment to the country.

"Migration only works if it brings benefits, and these measures will ensure that only those migrants that make a positive impact on their local community will be able to stay in the UK."

Home Office (source)

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Cultural Corner

Chinese New Year



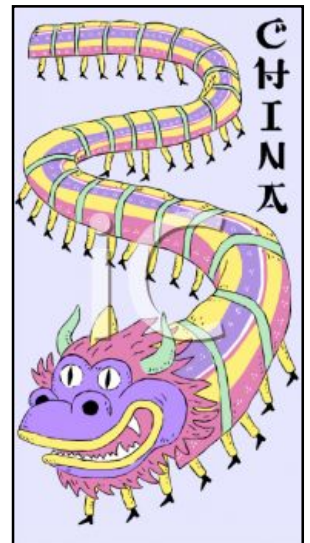
Kung Hei Fat Choy!

恭喜發財

26 January, 2009

The dragon is an important part of the New Year celebrations and is paraded through the streets. It represents wisdom, strength, benevolence, and good fortune.

The Chinese use the Lunar calendar for their festivals. The Lunar calendar is based on the time the moon takes to go around the Earth. (The Western calendar is based on the time it takes for the Earth to go around the Sun.)



The lunar cycle is about 29.5 days. In order to "catch up" with the solar calendar the Chinese insert an extra month once every few years. In 2009, the Chinese Lunar Calendar will add an extra lunar 5th month. This is the same as adding an extra day on leap year.

The first day of each Chinese year will always fall sometime between January 21 and February 21, inclusive, and takes place at sunset on the day of the second (sometimes rarely on the third) New Moon following the winter solstice (21 or 22 December).

Chinese New Year celebrations last for two weeks and end with Teng Chieh, the lantern festival, on the full moon about 15 days later.

February Programme

Activity	Time	Venue
Saturday activities for families with children	10.30 am – 1.30 pm (every Saturday)	Sure Start Centre, Parnall Road, Harlow
Drop-in	1.30 pm – 5 pm Thursdays	2 Wych Elm, Harlow (Rainbow building)
Consultation and advice	By appointment only	2 Wych Elm, Harlow (Rainbow building)



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Marlene Brooks (Editor)