

More than 300 asylum seekers in Glasgow, Scotland to be evicted

By Steve James
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Transnational services provider Serco has announced it intends to restart the eviction of around 300 asylum seekers from their accommodation in Glasgow, Scotland. The company intends to move against 30 households per week.

Those targeted, including many fleeing war and poverty in Syria, Iraq and Afghanistan, are legally barred from working or seeking public funds and face being pitched onto Glasgow's streets without any income. Many are in poor health.

Last August, Serco's attempts to change locks on flats used by asylum seekers whose cases were no longer eligible for accommodation support from the Home Office provoked protests in Glasgow city centre, and outside Home Office buildings. Two asylum seekers started a hunger strike and tenants' groups pledged to oppose evictions.

Under this public pressure, Serco agreed to "pause all further lock-change notices ... whilst the law is being tested and clarified."

Serco has since lost its Scottish contract with the Home Office, under the COMPASS asylum seeker dispersal programme, but has nevertheless been awarded a £1.9 billion contract to provide accommodation for 20,000 asylum seekers in the North West of England, the Midlands and East of England regions.

Concerned about the bad publicity from Glasgow, the Home Office contracts for Scotland, Yorkshire, Northern Ireland, the North East of England and the Humber regions were awarded instead to Mears Group, another giant services provider. Now Serco is using a Court of Session ruling, Scotland's leading civil court, to gain "vacant possession" of all the contested properties before it hands over the Scottish contract to its rival.

In April the Court of Session rejected a case brought against the Home Office and Serco by two of those threatened with eviction. The 29-page ruling by Lord

Tyre identified the central issue as "whether it is unlawful for Serco to evict an asylum seeker, whose claim for asylum has been refused, from his or her accommodation without first obtaining a court order authorising it to do so."

Tyre ruled that it was not unlawful, since the asylum seekers accommodation was provided by the Home Office, Serco merely being the contractor. Serco staff can now turn up at any time to change the locks on asylum seekers' flats. Unlike a normal dispute between a tenant and landlord, Serco face no requirement to obtain a court order before effectively evicting the occupants.

By early May, Glasgow-based campaigning group Positive Action in Housing (PAIH) reported that Serco had already commenced sending out letters to asylum seekers. The letters stated that "the Occupancy Agreement regarding the above property was terminated as a result of your support being terminated by the Home Office ... The date by which you were required to leave your accommodation ... is in the past. You should now leave the property."

On the PAIH blog, chief executive Robina Qureshi noted that the threatening letters from Serco made no mention of the rights the asylum seekers still have.

Although those facing eviction have had their asylum applications rejected by the Home Office, most people (95 percent) seen by PAIH have not exhausted the appeals process. They are not subject to deportation orders.

Qureshi noted, "Without an eviction procedure defined by law, frightened individuals are being placed in a state of fear and alarm by unannounced visits to their accommodation from Serco staff, using spare sets of keys."

She continued, "You have people terrified of leaving their only homes in case Serco changes their locks while they are out. You have a woman pleading for someone to

donate her a locked wardrobe so Serco staff can't rifle through her personal belongings looking for Home Office letters or asking personal questions that are nothing to do with them. This is the depths we have reached."

Qureshi explained that despite people retaining a right of legal recourse to the immigration authorities via the First Tier Tribunal, for example, doing this in practice was a difficult and protracted process taking months. By evicting people and making them destitute, Serco and the Home Office were effectively barring any further legal moves to defend their asylum application.

Serco is also proceeding despite an appeal against Lord Tyre's Court of Session ruling, lodged by Govan Law Centre (GLC) on May 2. GLC's Mike Dailly said at the time that Serco's move was "extraordinarily unjust." He explained that GLC's client had obtained an opinion from a Queen's Counsel, a senior law officer, which identified "different and substantial grounds of appeal with 'good prospects' and 'a strong probability of success' in line with Scots, UK and European legal jurisprudence."

Dailly added, "we do not believe Serco and the Home Office should proceed with hundreds of lock-change evictions in Glasgow until the appeal is dealt with. Serco act on behalf of the UK government and ultimately this is the UK Home Secretary's responsibility."

Serco, it seems, is not even restricting its efforts to people whose asylum cases have been initially rejected. According to PAIH June 25, Serco has sent eviction letters to people whose applications are still proceeding. Serco has also sent inaccurate letters to people, misreporting the progress of their asylum application.

PAIH highlighted the case of Kidiste, a 34-year-old woman from Eritrea, who was sent an eviction letter June 12 demanding she leave her flat by June 25. The letter said her asylum application had been successful. Kidiste thought she had now been accepted as a refugee. One week later, Serco wrote to her again, this time stating that her application had been refused and she should leave her flat. Fearing persecution in Eritrea for her religious views, Kidiste still has an ongoing claim.

Serco also wrote to a Gambian woman telling her on June 21 that her entitlement to support would end in two days. She too has an ongoing legal case.

Others in receipt of Serco eviction letters include a 72-year-old Iraqi man who lived in Syria and lost contact with his wife and children after they fled the civil war. He has a heart condition, spine and breathing problems, is mostly confined to bed and has been traumatised by his experiences. Serco told him to leave his flat by July 2.

Serco's actions have attracted widespread criticism from refugee organisations. A spokesman for the Scottish Refugee Council warned, "For hundreds of men and women in Glasgow this will mean forced eviction from their only source of accommodation and safety in Scotland."

For its part, Glasgow City Council has threatened to pull out of the Home Office dispersal programme. In the absence of any agreement between the Home Office, Serco and the Scottish National Party-controlled city council, the impact of the evictions is going to fall on voluntary and tenants' organisations.

Glasgow Night Shelter for Destitute Asylum Seekers, which provides bunk beds for 22 destitute men, warned earlier this month that it had only two spare beds and it would be "months away" before having any accommodation for women.

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