

Glasgow: Lock-change evictions of asylum seekers restarted by Serco

By Steve James
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Transnational service company Serco has restarted efforts to evict asylum seekers from their accommodation in the city of Glasgow, Scotland.

In late July, the Scottish Refugee Council reported that three men, who had temporarily left their flats, returned home to find that Serco staff had changed the locks. The men are now homeless, destitute and entirely dependent on friends and charity. The evictions are the first of 300 the services giant intends to push through in the weeks ahead.

As of mid-August, up to 60 evictions have been halted by “interim interdicts,” temporary court orders, granted to the asylum seekers pending a legal clarification of their position. Over the last week, a further 20 asylum seekers reported to the Scottish Refugee Council that Serco had started issuing 14-day eviction warning letters, reducing from 21 days the time people have to respond to the eviction threat.

Some tactics deployed by Serco are particularly vile. Anna Pearce of the Asylum Seeker Housing project told the *Scotsman*, “Once government support has stopped, the asylum seekers will be given low-value vouchers for the [electricity] meters so they have to keep returning to Serco’s offices to pick up more. ... Sometimes, the property is so cold they go to stay at friends for a few nights. Then Serco says the property has been abandoned and changes the locks.”

Mourad Khelfane, a 29-year-old engineer from Algeria, has had no state support for the past seven months. He is dependent on food banks and handouts. Serco staff come and go from his Shettleston flat as they please. He has no family in Glasgow and is in imminent danger of being thrown onto the streets.

He told the *Scotsman*, “I cannot stop worrying, I cannot sleep. I left Algeria when I was 24. Now I am nearly 29. I keep thinking it will be too late for me to

live my life.”

The threat to asylum seekers has again generated wide public revulsion and opposition, including protests and preparations to physically defend asylum seekers’ homes. Thousands of people have signed up to tenants’ union Living Rent’s list of those prepared to mobilise in front of homes threatened with eviction. Protests have also been organised on Serco’s Caledonian Sleeper rail service.

Serco, along with rivals G4S and Clearsprings, have since 2012 been contracted by the British Home Office to provide the cheapest possible accommodation to people seeking asylum in the UK while their claims are processed. The operators rent housing from local authorities, housing associations and private landlords, integrating, as Serco boast, “hundreds of landlords into one property portfolio, reducing costs and administration to the Government.”

The company recently won new housing contracts in England despite having been fined £6.8 million since 2012 for the miserable quality of the housing it provided. Its Scottish contract is due to be taken over by another services giant, Mears Group, later this year.

One year ago, Serco first announced its intention to evict the 300 or so asylum seekers whose asylum claims, according to Serco and the government, had failed and for which the company was no longer being paid by the Home Office.

In fact, many of the individuals still had legal options available—appeals, new claims. Some had been accepted as having the right to remain in the UK but had not been able to find new accommodation. Others were destitute, having been denied asylum and facing deportation at some indefinite point, back to countries from which they fled and where their lives may in be immediate danger.

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

But in April, Lord Tyre in the Court of Session ruled that Serco was not acting unlawfully in its lock-changing operation. Serco quickly announced its intention to start evicting 30 households a week. Eviction notices started to be posted, many with false or outdated information.

Tyre’s ruling has subsequently been appealed by legal organisations assisting the asylum seekers. The “interim interdicts” from Glasgow Sherriff Court will have the effect of allowing the asylum seekers to stay in their homes pending final legal resolution of the dispute. Legal support groups such as Govan Law Centre, Shelter, and the Legal Services Agency are offering assistance to any at risk of a lock-change eviction.

The legal case, however, rests on the restricted grounds of whether the asylum seekers can be legally defined as tenants. If so, certain legal hurdles must be overcome before an eviction can be lawfully carried out.

According to Govan Law Centre, “This appeal will settle authoritatively the question of whether Serco’s policy of eviction without a court order is lawful in Scotland. The outcome will be legally binding across Scotland. Serco has been asked to halt its lock change programme pending the outcome of this appeal but so far has refused to do so.”

Another aspect of the asylum seekers’ plight is that local authorities will offer almost no assistance. The UK’s Immigration and Asylum Act 1999 states that a person subject to immigration control will have “no recourse to public funds,” which means that they cannot access welfare benefits. This is frequently interpreted to mean that no support can be offered at all, particularly if there are no children involved.

In February, the Convention of Scottish Local Authorities (Cosla) issued guidance stating that Scottish local government “has a duty to safeguard the most vulnerable people in these situations, in many cases this includes providing financial support to meet essential living costs and other help from social workers to avoid destitution.” But Cosla noted, “In some cases, local authorities are prohibited from providing any form of assistance, including emergency

shelter, to people who do not have recourse to public funds.”

Glasgow City Council, for example, now under the control of the Scottish National Party and with an annual revenue of £2.5 billion, works closely with the Home Office’s asylum seeker dispersal programme. Glasgow accepts more asylum seekers than any other British city. Speaking in June in response to the Serco evictions, council leader Susan Aitken took the opportunity to wash her hands of the matter. She said, “The ‘No Recourse to Public Funds’ policy renders local authorities powerless to respond and unable to provide the necessary support for many of those who will be affected.”

Aitken continued, “In order for Glasgow City Council to provide support, I would have to instruct officers to break the law.”

The situation facing asylum seekers is that the British government, the Scottish government, Scottish local authorities, all the major political parties, Serco and Mears Group are all refusing to take any responsibility for housing a tiny number of extremely vulnerable and impoverished people. Meanwhile, the burden of mounting legal defence is falling on a small number of poorly resourced support groups providing free legal advice to people with no money whatsoever.

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