

Human Rights are for Everyone;

*Gender, disability and
asylum – working together
effectively*

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Executive Summary

This report looks at the importance of bringing together the voluntary sector particularly people working on gender, asylum and disability. The cross cutting issues are rarely looked at. It is particularly important to bring these sectors together, given the current climate. The key issues found were funding, working together more effectively and sharing good practice. The report highlights key recommendations which should be acted upon and proposes a further workshop to put together a project plan to be carried out before March 2011.

Introduction

A workshop was held on the 28th of October 2010 which brought together individuals and groups working in the spheres of women's rights, disabled people's rights and the rights of asylum seekers and refugees. This workshop took place because it is clear that women are not just women, disabled people are not just disabled people and refugees and asylum seekers are not only disadvantaged by their status. Working in separate spheres is sometimes useful however it prohibits looking at the crossovers and effects of multiple and simultaneous discrimination, oppression and marginalisation. The one day workshop aimed to examine these crossovers as well as develop recommendations to encourage and support collaborative working between different groups.

This separation of different groups has developed across the voluntary sector for a number of reasons, some of which are examined in this report. They include specialist knowledge around areas of law and advice giving, and constraints around funding and capacity. However all present were keen to develop ways around these problems and to explore more effective ways of working together.

We thank all who attended and supported the workshop especially Disability Lib for funding and hosting the event.

Equality and Human Rights

In 2009 the UK ratified the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). This Convention compels the UK government to comply with a wide range of articles to ensure the human rights and dignity of every disabled person. The Convention is the first of its kind to have disabled people's organisations (DPOs) involved in its creation and compels the UK government to involve and consult disabled people in its implementation. The Convention on the Elimination of all forms of Discrimination against Women (CEDAW) was ratified by the UK in 1986 and there are many women's groups campaigning and lobbying to ensure its full implementation. It should be noted here that these pieces of legislation also have relevance to the rights of asylum seekers and refugees if they are women or disabled.

For a long time groups have been campaigning for equality and human rights in the UK. There are several strands of equality in the UK, some of these strands like disability had individual commissions which promoted and monitored human rights as they relate to the grounds. However in 2007 the Equality and Human Rights Commission (EHRC) was established to take over the work of these individual commissions and to protect, enforce and promote equality across these strands.

In 2007 the individual Equalities Commissions were merged and the UK body which oversees equalities legislation now looks at six strands of discrimination. In addition the new Equalities Act, which came into force in October 2010, replaces existing anti discrimination legislation and includes new public service equalities duties¹. It is yet to be seen whether this legislation will be more or less effective than individual

¹ Government Equalities Office, Equality Act 2010. The public sector equality duty (August 2010) p.5

equalities duties and anti discrimination laws. In May 2010 there was also a change in government; the Conservative Liberal Democrat coalition has coined the phrase '*the big society*'. In reality this means cuts to the public and voluntary sectors alike. It is in this context the workshop took place.

Participants

Those represented at the workshop included: Disability LIB, Information Centre about Asylum Seekers and Refugees (ICAR), Women's Resource Centre, Health Advocacy Project at Manor Gardens, Evelyn Oldfield Unit, Basis Project (partnership project between Refugee Council and Refugee Action), Council of Disabled People Coventry and Warwickshire, Women's Networking Hub, Refugees in Effective and Active Partnership, and Parents for Inclusion and World of Inclusion

Aims

The aims of the day were as follows

- Explore relevant issues and how participants and their organisations tackle them
- Discuss the UN Convention on the Rights of Persons with Disabilities, Convention on the Elimination of Discrimination Against Women and other legal aspects of multiple discrimination
- Identify key issues to work together on

- Discuss how we can create a supportive network to tackle the issues raised

Workshop Structure

The day consisted of four presentations followed by questions, and small group discussions. The questions for the group discussions were: What issues arose from the presentations? What barriers do you or your organisation face in addressing cross cutting issues? What are the solutions? What do you think needs to happen to address the issues identified and what should be the next steps?

The UN Convention on the Rights of Persons with Disabilities (UNCRPD) - Debbie Jolly

The first presentation was given by Debbie Jolly, a freelance disability researcher. The presentation covered the UN Convention on the Rights of Persons with Disabilities (UNCRPD) and focused on some articles relevant to the day's work namely articles 1,6,18,19, and 33. Article 1 lays out the fundamental rights and freedoms of disabled people. Article 33 states that disabled people should be involved in the monitoring process of the convention. Article 6 talks specifically of the rights of women and addressing multiple discriminations. Article 18 talks about freedom of movement for disabled people. Article 19 is on independent living and community. The presentation highlighted three main issues. The issue of UK reservations; the UK government has a reservation on article 18 (freedom of movement). Will this further limit the rights of

disabled people to move to the UK? What impact will the cuts have on the UK governments ability to uphold Article 1.

Refugees in Effective and Active Partnerships (REAP) - Poornima Karunacadacharan

The next presentation was given by Poornima Karunacadacharan from Refugees in Effective and Active Partnerships (REAP) and focused on a piece of work funded by the Equalities and Human Rights Commission. The aims of the work were to raise awareness of the multiple discrimination faced by refugees and asylum seekers amongst mainstream organisations that primarily deal with other issues. This was achieved by carrying out targeted research, and awareness raising. The project covered all six equalities strands and the presentation emphasised the importance of looking at an individual not just as a person with a set of separate labels: 'woman', 'disabled person', 'asylum seeker' or 'refugee', but as a person with multiple complementary identities and life circumstances. Poornima Karunacadacharan emphasised that although it is useful to look at the particular ways a person is discriminated against when doing this there is a risk of labelling the person. This is what the project tried to avoid.

'Supporting disabled refugees and asylum seekers' - Jacob Lagnado

Jacob Lagnado from the Information Centre about Asylum and Refugees (ICAR) gave a summary of the findings of a report commissioned by Metropolitan Support Trust and Refugee Support

called ‘Supporting disabled refugees and asylum seekers: opportunities for new approaches’. Two main issues arose from this presentation. The first was that the gap in support for disabled refugees and asylum seekers was huge and this meant that refugee community organisations (RCOs) are doing a lot of the work. The second issue is immigration status. Asylum seekers who have been refused status are often unable to access services. In addition, there are different eligibility requirements for accessing services for refugees, asylum seekers and those who have been refused asylum. A further issue was that women with children were not adequately supported, often finding themselves in circumstances of abuse with little access to agencies for help.

UN Convention on the Elimination of Discrimination Against Women (CEDAW) - Helen Johnson

Helen Johnson from the Women’s Resource Centre gave a presentation about the UN Convention on the Elimination of Discrimination Against Women (CEDAW). This Convention is solely concerned with the position of women and focuses on achieving equality in both the public and private spheres. The convention, like the UNCRPD, posits political, civil, economic, cultural and social rights. Yet, there have been problems convincing the UK government to uphold its responsibilities in relation to the Convention. While it is possible to influence the reporting through the use of shadow reports or through awareness raising with women’s organisations, there are also many challenges in promoting the full implementation of CEDAW. These include the low priority given to gender equality on local agendas, the invisibility of the women’s sector and funding problems. There have been some successes when using CEDAW as a tool for campaigning.

These include an increased engagement with policy locally, building relationships within organisations and increased creativity and resourcefulness.

Key Issues

Below are some of the key issues raised in relation to working together more effectively, building supportive networks and overcoming barriers to effective partnership.

Competition

“[With the funding cuts the danger is that] ...all the refugee organisations will say, 'refugees are suffering the most' and disabled groups will say 'disabled people are suffering the most' and it will get to the point where people are fighting over funding and that's why events like these are really important.” – Workshop participant.

There is already some unintended competition between groups that work with marginalised communities. There are many reasons why this happens. There was a widely held view in the meeting that this is likely to get worse with the funding cuts, underlining the importance of working together. All the participants felt that organisations need to be saying that all marginalised groups are affected by the cuts. This does not mean that specialised services should not exist and be utilised or that organisations should not say that their client group is affected by the cuts in specific ways. However it is important not to enforce a hierarchy of oppression by saying 'our' group is more marginalised than other groups.

Many of the groups expressed concerns about being under pressure to deliver front line services with few staff and heavy workloads. This means that there is little space for strategic thinking or preventative

work. In all of the discussions funding was brought up as a serious issue and one that is set to get worse as the coalition cuts are brought in. We therefore need to look at strategies for working together and practical ways of building our capacity. The funding situation often has the effect of squeezing marginalised groups so it is harder to find space for these voices to be heard.

Immigration status

“People not knowing the difference between a refugee and an asylum seeker, so people not realising that refugees are entitled to all the same services as any other resident of this country... and people as soon as they hear ‘refugee’ or ‘asylum seeker’, just referring them to a community organisation. So it could be around ethnicity, so if they are Somali they will send them to a Somali organisation, even if the issue is around their disability.” - Workshop participant.

The findings from the research carried out by REAP² and ICAR³ found that some disabled people’s organisations (DPOs) were not aware of immigration rules and therefore did not know how deal with people who faced immigration issues. There are also restrictions placed on funding limiting the types of work allowed.

Some DPOs held the perception that their role is to serve disabled people and carers who have no issues with immigration and would turn away disabled people with immigration issues because this is not regarded as a DPO’s role.

² ‘One plus one -supporting frontline organisations to work effectively with refugees’ – Women’s Resource Centre and Refugees in Effective and Active Partnership

³ ICAR / Metropolitan Support Trust (2008) 'Supporting disabled refugees and asylum seekers: opportunities for new approaches' -<http://www.icar.org.uk/9602/about-us/publications.html>

While this was not the case with all DPOs it was a barrier to refugees and asylum seekers accessing services offered by disabled peoples organisations in general. This piece of work was a start in breaking down some of these perceptions and barriers.

Single issue organisations

“What we found in our work... was when we tried to refer people to services, if you call them and you say 'there is an asylum seeker who is disabled who requires such and such a service', they would automatically say 'oh, we don't deal with refugees or asylum seekers' and refer you on to services which are specially for asylum seekers and refugees. We found that to be a huge problem because it is not just immigration status that defines a person, that's not their only barrier or that's not their only concern.” - Workshop participant.

Many organisations perceive equality as only denied to the particular group they cater for. There is a need to build a culture of looking at people as individuals who face multiple oppressions and have different experiences. The lack of understanding of different issues can build up a barrier to services. If for example, an organisation privileges immigration status or race over disability it could result in that person not having access to needed information or services. REAP carried out a survey asking organisations how they reach out to asylum seekers and refugees. One of the responses was “I'm not sure our funders

would be happy about us providing a service to people who are not supposed to be here⁴”.

Although this is not necessarily common it does illustrate a lack of awareness about other oppressions within some organisations. It is for this reason that it is crucial that we work out effective ways of working together and sharing expertise. Through this we can gain a better understanding of the work done by organisations around other equalities strands. It is important to recognise that gender inequality still exists. There has been great progress made, however, gender must play an integral role to our understanding of equality as a whole.

Gender issues impact on a person's life experience in a number of ways. Refugee Community Organisations (RCOs) are often male dominated. This can exclude and marginalise women. Women can also face practical barriers such as their asylum claim or visa application being made with the husband as the main applicant. This means that the woman is reliant on that partnership. If there are issues such as domestic violence it makes it difficult for the woman to deal with these. This is compounded by the barriers experienced within RCOs and mainstream services. In addition women face difficulties such as not having a choice in the gender of their interpreter and having responsibility for children. Jacob Lagnado said that *“the issue of child care was brought up again and again [during our research] as an additional responsibility that a disabled refugee or asylum seeker, who is a woman, would often be facing, often on her own.”*

⁴ ‘One plus one -supporting frontline organisations to work effectively with refugees’ – Women’s Resource Centre and Refugees in Effective and Active Partnership

The issue of how to get disabled women involved in work on CEDAW was also discussed. It was recognised that disabled women had not had a strong voice in the creation of shadow reports and campaigning so far and that this needed to change. This discussion led onto creating suggestions of practical ways to outreach to groups not generally represented and how to ensure that they would come into a barrier free environment once involved. Examples of these suggestions were ensuring that an organisation outreaches in an environment where the people they want to reach are likely to be, ensuring that publicity is in different languages and also in easy read formats, thinking of organisational specific ways to build up a culture of looking at a person as a person and not only as a person facing discrimination.

Power and Control

An overarching theme of the workshop was the issue of who has control within an organisation; from the discussion about refugee community organisations generally being male dominated to the distinction between organisations 'of' disabled people (run and controlled by disabled people) and organisations 'for' disabled people. The structure of decision making and who makes the decisions within organisations is important. One of the ways we can look at this is to ask the question of how we can support people who have traditionally been marginalised within these organisations or elsewhere to get their voices heard. In order to answer this question we need to look at the way power is structured in our organisations work. For example, looking at how peoples views are encouraged and taken on board in practice, ensuring not only that the organisation reaches the right people but also that they are taken seriously.

Social Model

The social model of disability is a model that has been developed by disabled people as a tool for explaining their oppression and marginalisation. Many organisations which do not have an explicit focus on disability may not have a clear understanding of what the social model is. *“Under the social model, disability is caused by the society in which we live and is not the ‘fault’ of an individual disabled person, or an inevitable consequence of their limitations. Disability is the product of the physical, organisational and attitudinal barriers present within society, which lead to discrimination. The removal of discrimination requires a change of approach and thinking in the way in which society is organised.”*⁵

This discussion highlighted the potential for using the social model as a tool to look at multiple oppressions and also the necessity for clarifying positions when looking at disability as an issue i.e. making sure that when research is done around disability that it takes a social model perspective.

Building Solidarity

All the organisations represented with the exception of one were second tier organisations. This highlights the need to look at how to

⁵ The Open University <http://www.open.ac.uk/inclusiveteaching/pages/understanding-and-awareness/social-model.php>

involve grass roots organisations in follow up work. For example there was discussion around how to create solidarity between different groups. The word solidarity was used in different ways but one important issue is how support is given within grass roots groups. This is often very different from second tier organisations or service providing organisations.

“I imagine it must come down to individuals and who they are exposed to... in Sheffield there was a guy from Afghanistan and he had a negative [immigration] decision, was forced to work illegally and fell off a roof and became paralysed because of that. And I don't know how he had made contact with this disabled campaigning organisation, but they massively campaigned for him. [UK Borders Agency] wanted to send him back to Afghanistan, he had a bill for £90,000 for his hospital treatment, it was a horrendous experience and these particular people really advocated and campaigned for him. It always felt to me that if that hadn't happened... how do you create those spaces where people come to know and develop a sense of solidarity and campaign for other people?” – Workshop Participant

Outcomes and Recommendations

The following concrete recommendations need to be put into action.

We therefore recommend that a further meeting should be held by June 2011 to bring people together to look for funding and form working groups to carry out each recommendation.

1) More work is needed to bring together disabled peoples organisations, people working with disabled people, refugee organisations, people working with asylum seekers and women's organisations. This work should focus on sharing good practice and how to take concrete steps to work together through:

- regular forums which would incorporate training on specific issues (these forums would encourage peer support to help build capacity of organisations)

- organisations should be encouraged to share information and resources particularly in relation to useful tools for widening representation such as equal opportunities policies, Easyread formats for information and interpreting

- forums of big and small organisations would provide the basis for wider policy work and campaigning to be carried out on specific issues

- building partnerships could also have a funding focus, applying for funding together to work on joint projects.

- encouragement and outreach to other relevant organisations and existing forums should be carried out in order to ensure work is not duplicated.

2) A further discussion is needed about the efficacy of the social model as a way to look at multiple equalities issues for disabled people and other groups.

3) More research is needed to review cross cutting issues to ensure that people wanting to access services are not denied them.

4) Organisations could also be supported to carry out audits on their outreach strategies to identify which marginalised groups they have less knowledge of to help overcome barriers to 'joined up' working.

5) More work is needed to bring grass roots groups working on these different issues together. We must not only rely on second tier or service providing organisations.

6) It is recommended that work is carried out to assess the impact of the Equalities Act.

Further Reading:

Forced Migration Review – '**Disability and Displacement**' Issue 35,
July 2010 - <http://www.fmreview.org/disability/>

ICAR / Metropolitan Support Trust (2008) '**Supporting disabled refugees and asylum seekers: opportunities for new approaches**' -
<http://www.icar.org.uk/9602/about-us/publications.html>

REAP / Womens Resource Centre (no date) '**One plus one -supporting frontline organisations to work effectively with refugees**'
<http://www.reap.org.uk/documents/OnePlusOne.pdf>

No Barriers, No Borders & New Perspectives (2008) '**Advocacy and Peer Support for Disabled Asylum Seekers and Refugees**' Contact -
nobarriersnoborders@googlemail.com

Resources:

Basis Project (partnership project between Refugee Council and Refugee Action) - <http://www.thebasisproject.org.uk/>

Council of Disabled People Coventry and Warwickshire

<http://www.cdp.org.uk/>

Disability Lib - <http://www.disabilitylib.org.uk/>

Evelyn Oldfield Unit www.evelynoldfield.co.uk

Health Advocacy Project at Manor Gardens

<http://www.manorgardenscentre.org/>

Information Centre about Asylum Seekers and Refugees (ICAR)

<http://www.icar.org.uk/>

Refugees in Effective and Active Partnership <http://www.reap.org.uk/>

Women's Networking Hub

<http://womensgrid.freecharity.org.uk/?p=2773>

Women's Resource Centre <http://www.wrc.org.uk/default.aspx>

Parents for Inclusion <http://www.parentsforinclusion.org/>

World of Inclusion <http://www.worldofinclusion.com/>

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