

POSITIVELY WOMEN

MARCH/APRIL 2003



seeking asylum
special

far from
home?

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positively

Memory came to the UK from Zimbabwe for a holiday. She never imagined she was HIV positive, or that her holiday would lead to a claim for asylum and a whole new life of uncertainty



‘What’s your immigration status?’ – this is a phrase that you always hear when you attend any support group for positive women. There is no prize for the guessing the answer – ‘None yet, I’m still waiting for a decision from the Home Office, what about you?’

This is the common trend whenever you meet a new face at any support group. You can see anxiety and hope in the faces of all these women who are waiting for their stay in the United Kingdom to be approved. I have been waiting for over six months now, and this is how I came to be waiting.

It was December 2001, my dad’s sister was getting married at the tender age of 63 to her 72 year old sweetheart. What could stop me from coming to witness this wonderful event? So there I was, aboard a plane from Harare to London for the wedding. I had four weeks leave from my employer of sixteen years – I was the Head of an IT Department.

The wedding went well and after a few days, I felt like I was coming down with a cold – or delayed jetlag. I thought it would be OK in a few days, but I deteriorated within a short period of time. I could not eat and was weak. My aunt persuaded me to go for an HIV test. I agreed, and was shocked when I got the positive result.

I was devastated. ‘What do I do next?’ I asked myself, ‘How am I going to cope?’ I was trying to deal with the trauma of thinking that I was going to die and worrying about my responsibilities back home still waiting for me. I am a single parent to a son who is half-way through his secondary school. I didn’t want to burden my family with that responsibility, but did I have much choice? I had to accept my new condition and move on.

waiting...

The logical thing was to start on treatment immediately. I informed my employer that I would delay my return 'till the end of January. My ticket was still valid, I wanted to wrap up my things and resign properly, but during the first month of treatment, I got very sick and had to be admitted into hospital for two weeks. I knew there was no going back home soon....

Next worry - my visa was due to expire on 20th July 2002, so I started the process of getting it 'extended'. My solicitor advised that he would apply for Exceptional Leave to Remain, under Article 3 of the European Convention on Human Rights. This meant that I would be classified as an asylum seeker with 'special needs'. I was informed that it could take anything from twelve to eighteen months before a decision could be made by the Home Office. In the meantime, I am not allowed to work or leave the United Kingdom - you surrender your passport to go with the application.

The waiting is long and hard. The best I can do is speak to my son over the phone and assure him that I will be home soon. He doesn't know of my HIV status, I just give a lame excuse that I have a problem with my liver and kidneys and am waiting to see the Urologists at the hospital. It's the same story to my employer. I still have to 'retire' formally.

As I am waiting for a decision, I am constantly anxious about when it will be made. What if I am turned down? My country has no drugs for HIV treatment at the moment. A colleague from my country has been turned down because she had been diagnosed before she came to the UK, her case is on appeal as I write. Another colleague who has been on NASS support was given less than 24 hours notice to be relocated to Glasgow, Scotland.

A South African friend was also turned down as her country of origin is classified as having drugs for HIV.

The Home office announced changes to in-country asylum applications from 8th January 2003. New applicants have to apply for support "as soon as reasonably practicable" after arrival in the UK. A lot still has to be clarified on this new regulation.

Does this mean the applications submitted last year are going to be "fast-tracked"? I cannot help wondering. The waiting continues. **PW**

Information on Seeking Asylum/Immigration

If you have any questions or would like more information on the issues raised in this newsletter then you can contact Farida, PW's new HIV and Immigration Direct Services Co-ordinator on 020 7713 044, email figa@positivelywomen.org.uk, or contact these organisations:

Asylum aid

28, Commercial Street
London E1 6LS
Tel: 020 7377 5123
Fax: 020 7247 7789
info@asylumaid.org.uk
<http://www.asylumaid.org.uk/index.htm>
Telephone advice line:
Monday, Tuesday, Wednesday:
2pm-4.30 pm
Thursday, Friday:
10 am - 12.30 pm

The Office of the Immigration Services Commissioner (OISC)

Fleetbank House
2-6 Salisbury Square
London
EC4Y 8JX
General enquiries helpline: 0845 000 0046
Telephone: 020 7211 1500
Fax: 020 7211 1553
Website: www.oisc.org.uk
You can email from the website