



# 華人資料及諮詢中心 Chinese Information and Advice Centre

Charity No. 註冊號碼 : 800646 Company No. 註冊號碼 : 2306765

Winter 2010

## Immigration

### New versions of application forms and changes to application fees

The UK Border Agency has published new versions of application forms for many temporary and permanent migration routes.

All FLR and SET applications forms, and forms for applications made in the UK under the points-based system, have been revised to reflect:

- the mid-year increase in application fees;
- the new option to pay the application fee by American Express (Amex); and
- additional declaration pages which will allow us to obtain the information needed to support applications made in the UK.

Version 11/2010 of these forms should be used for all applications made from today.

The guidance notes for FLR and SET forms have also been revised (version 11/2010).

You can find the revised application forms in the relevant sections of this website

<http://www.ukba.homeoffice.gov.uk/contact/applyinperson/peoservices/> or by using their online application system.

### Immigration Cap

The Home Secretary Theresa May has announced that the number of non-EU skilled workers allowed to enter Britain will be reduced by one fifth, capping at 21,700 from next year. There will also be a new minimum annual salary of £40,000 for firms using intra-company transfers (ICTs).

While the old tier one route will be limited to just 1,000 and to those with "exceptional talent", which will include athletes and scientists. May has stated that the government would also target student visas. Saying that too many students have come to Britain with a view to living and working, rather than studying, with nearly half of all foreign students studying a course below degree level.

CIAC wishes you a very  
Happy Chinese New Year!  
3<sup>rd</sup> February 2011  
Year of the Rabbit



### Know Your Rights

The Gangmasters Licensing Authority is a government agency designed to protect workers from exploitation in a variety of industries – including food processing and packaging, agriculture, horticulture, dairy farming and fish processing.

Please see their leaflet online available in both: English

[www.gla.gov.uk/embedded\\_object.asp?id=1013693](http://www.gla.gov.uk/embedded_object.asp?id=1013693) and

Chinese

[www.gla.gov.uk/embedded\\_object.asp?id=1013702](http://www.gla.gov.uk/embedded_object.asp?id=1013702)

for more information about the national minimum wage, the standard hours of work, holiday entitlement, sick pay, your itemised pay slip and safety regulations. If you would like to report someone anonymously please use their form also available in Mandarin or call **0845 602 5020**.



## Refugee & Asylum Project

### Dealing with Police – Know the Law

The police can stop and search you if they have a good reason to believe that you have :

- 🚔 stolen goods on you
- 🚔 items to help you commit a crime
- 🚔 a weapon on you
- 🚔 drugs on you
- 🚔 an illegal firework

They can also stop you if they believe you are a terrorist.

At certain times police are allowed to search you even if they don't have a good reason to suspect that you are doing anything wrong. For example if they believe there will be serious violence nearby. Or to stop someone committing a terrorist act. Only a police officer in uniform can carry out these last two types of searches with a senior police officer authorising them to do so.

The police may only hold you on the street for a few minutes. If you are held for more without good reason you may be able to sue for 'false imprisonment'. The police should always tell you what legal powers they are using when stopping you.



### Answering Questions

If stopped by a police officer you may be more than happy to answer their questions. However if you are not happy to do this, they cannot force you to. Further they can only arrest you if they suspect you have committed a crime, not for failing to respond to their questions.

### When the Police can come into your home?

Police can enter your home if they are for example trying to save someone from being hurt. They can also enter your home if they are there to arrest someone – under the following conditions:

- 🚔 they have an arrest warrant from court
- 🚔 the person they want to arrest has escaped from prison or somewhere else they were being detained
- 🚔 they want to arrest someone for committing crimes such as theft or criminal damage (where the damage was worth more than £5,000)

They can also enter your home to carry out a search, under these conditions:

- 🚔 they have a search warrant from a court.
- 🚔 you've already been arrested for a crime and they have strong reason to believe related evidence is in your home.

### What to do if the police were very aggressive and hurt you when being arrested?

The police are permitted to use force only in some situations for example to stop you committing a crime or when arresting someone. However they must never use excessive force than is necessary. If you believe this to be true you can take different kinds of action.

If you want an apology or to stop this happening to others in the future, you can make a complaint to the Independent Police Complaints Commission, by calling **08453 002 002** or by visiting [www.ipcc.org.uk](http://www.ipcc.org.uk). This independent body may discipline or in serious cases fire the officers involved.

If the case of abuse is very serious you can sue them for assault. To do this you will need to get advice from a solicitor specialising in these kinds of cases. To find solicitors working on these matters who can help you please contact the Community Legal Advice on 0845 345 4354 or visit [www.communitylegaladvice.org.uk](http://www.communitylegaladvice.org.uk)

If you cannot afford a solicitor you may qualify to get legal aid to pay for some or all of your legal costs. You need to have a low income to be able to receive this. The Community Legal Advice website has an online calculator where you can work this information out.

## Women Support Services

### Women's Self-help Workshop November 10<sup>th</sup> 2010

Celine Lee our volunteer delivered the self-help workshop on 10<sup>th</sup> November 2010.

Several issues were raised during the informal discussion from participants including police discrimination, registration with local GPs and the unrecognized status of those that were applying for the British Overseas Citizenship before it was scrapped.

Celine stressed the importance for men and women to attend the workshop to get professional advice and find out how the UK system works and what support they can receive. The workshop is also important as a safe place where people are free to share their experiences in an encouraging environment and gather strength in knowing they are not alone.



Nikki Lee, Chinese Community Team Leader from London Citizens was present and spoke about London Citizens mission to recruit community groups, faith congregations, schools, universities and trade unions and build power within the community through an alliance.

At the end of the workshop session many of the participants swapped contact details to stay in touch and offer each other advice and support. CIAC is looking to deliver approximately 10 similar events throughout 2011. We hope those who joined us this time will come back again.

We would also like to say a big thank you to Pizza Hut for providing refreshments for the workshop attendees.

### What to do if you suspect someone close to you is in an abusive relationship

Your main priority is the individual's safety. If they disclose to you that they are a victim of domestic violence, be understanding. Explain that many people are in the same situation as them and recognise the confidence it has taken for them to talk about th



- ♥ Don't pressure them for too much detail if they are not comfortable with this.
- ♥ Try not to overly criticise the abuser as this may put the person off from coming to you in the future.
- ♥ Support the individual as best you can, listen and encourage them to express their feelings.
- ♥ If they have suffered physical abuse, offer to go with them to the hospital. And if they want to, help them to go to the police to report the assault.
- ♥ Help them to find the information of help available to them. Either by calling the Chinese and Advice Centre **0845 3131 868 (ext.211)** or by visiting a solicitor with them if this is what they are ready to do.
- ♥ Help them to work out safe plans to leave the relationship. Allow them to decide what is and is not safe.
- ♥ If possible allow them to use your address or phone number for receiving information and messages about getting help.
- ♥ Do not offer to talk to the abuser. Do not put yourself in a dangerous position.

If you do not want to get involved but suspect someone close to you is a victim of domestic violence you can Crimestoppers anonymously on **0800 555 111**.

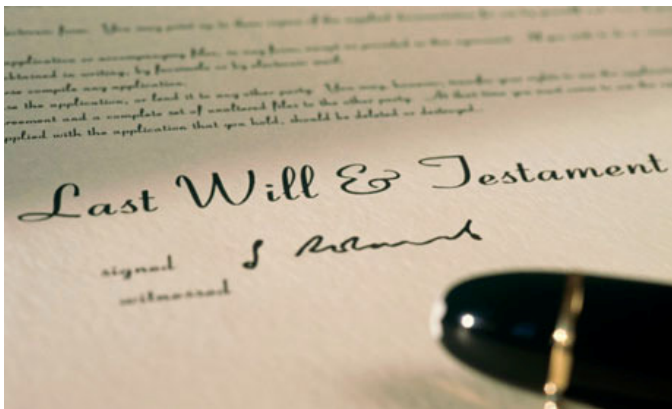
## CIAC's News

### The Importance of Making a Will

Whether or not you consider you have many possessions or much money. A will sets out who is to benefit from your property and possessions (your estate) after your death. There are many good reasons to make a will:

- ✍ you can decide how your assets are shared - if you don't have a will, the law says who gets what
- ✍ if you're an unmarried couple (whether or not it's a same-sex relationship), you can make sure your partner is provided for
- ✍ if you're divorced, you can decide whether to leave anything to your former partner
- ✍ you can make sure you don't pay more Inheritance Tax than necessary

It is possible to write a straightforward will by yourself, but it is advisable to use a solicitor as there are various legal formalities you need to follow to make sure that your will is valid. You may also need legal advice for more complicated matters. A solicitor can also advise you about how Inheritance Tax affects you. A solicitor may be able to visit you in your own home, care home or hospital.



The cost of writing a will can vary between solicitors and will depend on how complicated your personal affairs may be and the experience of the solicitor. As well as solicitors, voluntary organisations such as Citizens Advice Bureau and Age Concern can also help with your will. If you live in Scotland, the group "Help the Aged" can help with preparing a will. Scottish law on inheritance tax differs from English law.

### What should be included in your will

Before writing or consulting a solicitor, it's a good idea to think about what you want to be included in your will. You should consider:

- ✍ how much money and what property and possessions you have
- ✍ who you want to benefit from your will
- ✍ who should look after any children under 18 years of age
- ✍ who is going to sort out your estate and carry out your wishes after your death - that is your executor

An executor is the person responsible with passing on your estate. You can appoint an executor by naming them in your will. The courts can also appoint other people to be responsible for doing this job.

### Where to keep your will safe

Once you've made your will, it is important to keep it in a safe place and tell your executor, close friend or relative where it is. If a solicitor makes your will, they will normally keep the original and send you a copy. You can ask for the original if you wish to hold it.

### Keeping your will up-to-date

You should review your will every five years and after any major change in your life - such as getting separated, married or divorced, having a child or moving house.



#### Editorial Team

Vanessa Lye  
Jaime Law

Translated by  
Liting Cai