

Tony McNulty, Minister for Immigration
3rd Floor, Peel Building
2 Marsham Street
LONDON SW1P 4DF

Dear Mr McNulty

Re: Shah Wali Mohmend Home Office reference W104532

I am writing to ask you to allow Shah, an Afghan who is a volunteer with Citizen's Advice Bureau in Liverpool to stay in Britain with his wife, Heather, who is a British citizen.

Although they are living happily together, the Home Office have recently refused to grant permission for Shah to stay in the UK. Shah came to the UK in August 2001, seeking refuge from the Taliban. He claimed asylum on arrival. His original firm of solicitors did not submit his statement of evidence to the Home Office, leading to his asylum initially being refused without his case being heard. Since February 2003 he has had no government support, although he is also prohibited from working. Heather is fully supporting him although he is ready to start work as soon as he has permission. He had previously been dispersed to Liverpool where he met and fell in love with Heather. Following a year-long engagement, they were married in July 2004. In November 2004 the Home Office finally agreed that Shah should have his case heard (in May 2005).

Even though their commitment to each other has not been questioned, Shah's asylum case was refused in July 2005. He now faces deportation if his appeal over this decision is turned down. In the refusal letter, the Home Office stated that Shah's "removal to Afghanistan will not interfere with [his] family life" as Heather can accompany him to Afghanistan. This is an astonishing statement as the Foreign Office strongly advises against British citizens travelling to Afghanistan due to the high risks of terrorism and criminal violence. It is a country that is extremely dangerous for a Western woman to travel to or live in. There is also no facility at the British Embassy for issuing entry visas from Afghanistan, creating an insurmountable obstacle to Shah's return to the UK.

If she lived in Afghanistan, Heather's life would be at risk, as detailed by the Foreign Office Travel Advice. She would have to give up her job, way of life and her religious freedom. It is uncertain what would happen to Shah given the current security climate in Afghanistan. Another great concern for Heather is that she would have to leave her job to accompany Shah. She is a senior Occupational Therapist in a key role directly impacting on the Trust's waiting list figures and patient discharges. She is in an area of national and local vacancies.

Heather and Shah are due to go to the civil immigration court to appeal this decision on 9 August. Given the Foreign Office advice, and the fact that there is no facility at the British Embassy for issuing entry visas, I urge you to allow Shah to remain here with his wife on compassionate grounds. Shah and Heather are model citizens who are regarded by friends and colleagues in the highest esteem.

Yours sincerely,

Name _____ Position _____

Address _____

City _____ Postcode _____ Country _____

Date _____