

BRITISH BROADCASTING CORPORATION

RADIO 4

TRANSCRIPT OF “FILE ON 4” – “THE UNORTHODOX LIFE OF MIRIAM”

CURRENT AFFAIRS GROUP

TRANSMISSION:	Tuesday 6 th November 2018	2000 – 2040
REPEAT:	Sunday 11 th November 2018	1700 - 1740

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PRODUCER:	Anna Meisel
EDITOR:	Andrew Smith

PROGRAMME NUMBER:	18VQ6286LH0
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THE ATTACHED TRANSCRIPT WAS TYPED FROM A RECORDING AND NOT COPIED FROM AN ORIGINAL SCRIPT. BECAUSE OF THE RISK OF MISHEARING AND THE DIFFICULTY IN SOME CASES OF IDENTIFYING INDIVIDUAL SPEAKERS, THE BBC CANNOT VOUCH FOR ITS COMPLETE ACCURACY.

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ACTUALITY IN CAR

MIRIAM: We are now turning right into my road, where I had my marital home. This is quite nerve-wracking, coming here. I find myself getting trembly and it just seems to kick in.

MUSIC

MIRIAM: For a long time I had such nightmares about that house, because of what I had experienced there. I ended up running away in the middle of the night. It was, like, two or three o'clock in the morning. I was terrified - what could happen to me? - and I didn't feel safe. So, I took my bag, that's all I had - just the clothes that I was wearing and my rucksack with my laptop and my phone - and I just walked out and I walked along that road, and it was completely dead silent and nobody was around. And then I, I just, I went up there and what I did was, I then went to the police station and told them what had happened and why I had left the home.

ABBOTT: Tonight, File on 4 tells the extraordinary story of Miriam and the events leading up to her fleeing that night. She's from a strict Hasidic Jewish

ABBOTT: I can't help noticing there aren't many women, but we do spot one couple out walking together. The woman is wearing a scarf over what I think is her hair.

MIRIAM: That's a wig.

ABBOTT: That's a wig?

MIRIAM: Yes. It would be absolutely unheard of for a married woman to have her hair uncovered. It's not a given, but it's quite likely she has shaved her hair.

ABBOTT: There's plenty of activity, even though it's late. Some young men to our right there, coming up. Look like they might be holding some books or something.

MIRIAM: That's a yeshiva.

ABBOTT: When boys are thirteen they leave school to study at a yeshiva. Here they pore over Jewish texts, studying the Talmud, which deals with Jewish law, and the Torah, which is the Hebrew bible. For Hasidic men, religious study is their highest calling.

Have they just finished lessons then? It seems quite late to be coming out.

MIRIAM: Well, that's right, this is the time - twenty to ten. Yeah, that would be a normal time for them to finish.

ABBOTT: It's a very long day, isn't it?

MIRIAM: Oh, it's an incredibly long day for them. They, they virtually live there. Once they turn thirteen they, they live in the yeshiva.

MUSIC

ABBOTT: Miriam's family were as devout as any in this Hasidic Jewish community. To understand the recent events in her life, I need to know more about her upbringing.

MIRIAM: Where shall I begin? So I was the third of ten children.

ABBOTT: Wow, that's a big family.

MIRIAM: Yes, but it was quite the norm where I came from.

ABBOTT: School consisted of learning Jewish texts all morning with secular studies in the afternoon. And back at home, she would be expected to help out with the ever growing family.

MIRIAM: My earliest memories are probably when I was about seven. I would often be the one who went shopping and I remember it was quite a big burden and quite a big responsibility. My parents had very, very little money. We were very poor, and part of what I had to do was find the cheapest things possible, so I would have to go to the bakery when the bread had been reduced towards the end of the day. I had to sometimes walk very long distances to find fruit and vegetables that were cheaper and then carry them home. So I would work very hard and I would clean up the kitchen at night after everyone had gone to bed, like the children had gone to bed, and my mother was probably off feeding one of the babies.

ABBOTT: Another childhood memory is a favourite saying of her father's.

MIRIAM: That women should be busy with potties and nappies.

ABBOTT: Miriam left school with just two O levels, but there was no need for a career. That wasn't what God had planned for her. She would get married and have as many children as possible.

MIRIAM: That was what God wanted from me. In fact, what we were brought up to believe was that was our reward.

ABBOTT: The Hasidic Jews are part of the Charedi Jewish tradition. They believe keeping separate from wider society is the best way to avoid what they view as the evils of Western culture. Professor Samuel Heilman, the chair of Jewish Studies at the City University of New York, has written books both about their historical and their contemporary life.

HEILMAN: So Charedi Jews is just, the word Charedi means that they are anxious or quaking about their religious lives. Charedim have often been called ultraorthodox Jews. Hasidim are a type of Charedi Jews. Hasidism was a movement that started, by and large, in what today we would call Eastern Europe. Its major centres were in what is today Poland and Ukraine. You have to keep in mind that these national boundaries didn't exist when Hasidism began in the 18th century. And after a while, Hasidism became associated with these charismatic leaders, and many of them became identified either with books that they had written or the towns from which they hailed or where they had started their community.

ABBOTT: Hasidic Jews aim for a traditional life dating back to when the religion began. Television and the internet are frowned on. Girls and boys are kept separate. Jobs are within the community, often in schools, catering or property development. And marriages are arranged. Miriam wed her husband after just three meetings, back in 1995, when she was 23 - considered late for a Hasidic Jew. You were on the shelf by then, as we say.

MIRIAM: I was absolutely on the shelf.

MUSIC

ABBOTT: She quickly realised it wasn't just the two of them in the marriage. The Rabbi had a say over the most personal aspects of their married life.

MIRIAM: The laws of marriage are around the menstrual cycle, and times when a husband and wife can be intimate or not revolve around the bleeding and at what point you've stopped bleeding. You would have a little square white cloth that you would have to do an internal vaginal examination, and there are detailed ...

ABBOTT: You'd insert that into yourself?

MIRIAM: You would have to do that and you would have to, yeah, you would have to leave that cloth inside for quite a while to make sure that you weren't bleeding during that transitional period. So any of the, like, really small stains, anything that was questionable, you'd have to go and ask the Rabbi.

ABBOTT: Would you just describe the stains or would you be, would you take something along?

MIRIAM: No, you would have to take the cloth to the Rabbi and the Rabbi would go to the window and have a look at it in daylight and examine it and, and then would tell you whether it was kosher or not.

ABBOTT: You're telling me this as if it's something that's quite matter of fact. Did you feel matter of fact about it at the time?

MIRIAM: I, I was very effectively trained to repress my discomfort around it all. And I was, when I look back, I really think that it, it's just not okay. I feel awful that that's what I was made to do and that was my life for years and years and years.

ABBOTT: By tradition, only when the Rabbi says you're clean can you have sex and get on with producing that big family. This is just one area of life the Rabbi influences, as Professor Samuel Heilman explains.

HEILMAN: A Rabbi is somebody who has been ordained to give rulings on Jewish teachings. A Rabbi, for example, you might consult the Rabbi if a particular item of food is kosher or not or whether something is a sin or not a sin.

ABBOTT: But there's another powerful man in the life of a Hasidic Jew. The second is another religious leader, known as the Rebbe. They both feature in Miriam's story, so it's worth knowing the distinction.

HEILMAN: A Rebbe may be a Rabbi, but a Rebbe is, by and large, someone whose position is a result of his succession from his father or father in law or uncle and it's more a matter of birth rather than a result of merit. A Rebbe you would consult about all the basic decisions of life, because a Rebbe is an intermediary between him or her and God and has miraculous powers, so the Hasid speaks to the Rebbe and the Rebbe speaks to God.

ABBOTT: It would have been perfectly normal when the couple found themselves living in a tiny flat with their small children that her husband turned to the Rebbe for advice. Miriam says her husband told her the Rebbe suggested upgrading to a house, and the Rebbe, she tells me, had suggested buying it in a very unusual way.

MUSIC

MIRIAM: He said to me that the Rebbe had advised that we should buy the house in someone else's name and that the Rebbe gave us a blessing that, at some point, we will be able to put it into our own names.

ABBOTT: So, back in 2004, Miriam and her husband got together the deposit for the house. As well as their savings, they got loans from wealthy people in the community and from a charity. It was decided her brother, living in Israel, would buy the house in his name and get a mortgage with a fake letter of employment showing a fictitious salary of £89,000. Why such a complex arrangement?

MIRIAM: This was in order to claim benefits.

ABBOTT: Ordinarily, property owners are excluded from getting Housing Benefit. Because Miriam and her husband were pretending to rent the house, they received benefits and used the money towards paying off the mortgage. But how do you make all of that look legitimate?

MIRIAM: Not at all. In fact, what he was saying was, this is very common.

ABBOTT: Miriam and her husband found a company willing to provide a fake tenancy agreement, which implied they were paying a weekly rent of £350. Another problem was their income was above the threshold for claiming benefits. This could also be easily solved.

MIRIAM: I discussed with Mr Posen how many hours to put down that my husband was working and how much he should be paid. I've still got my handwritten notes from there, where he said twelve hours a week, £300 a month.

ABBOTT: How many people from this community, like you, do you think went into that building and asked Mr Posen for that kind of advice?

MIRIAM: There were always long queues and sometimes you could wait for over an hour, sometimes two hours to get to speak to him. Mr Posen was the person known as the go-to person in the community for this sort of advice.

ABBOTT: Hackney Council began paying the Housing Benefit of £325 a week to Miriam and her husband. And we've tracked down others who say they benefited from the advice of Mr Posen.

MUSIC

READER 1: I actually went to see him in his home. I paid him £80 an hour and he told me what to write.

READER 2: I went to him for advice on how to claim Housing Benefits on a house I bought in my relative's name.

READER 1: He wasn't asking me how much I earn and then filling it out. He's telling me what I should earn.

ABBOTT: Falsely claiming Housing Benefit can attract fines or even a prison sentence. People I've spoken to justify it by explaining that the lifestyle of a Hasidic Jew is expensive. There's the large families, private religious schools, pricey kosher food and lavish weddings to pay for. Others who've left the Hasidic Jewish community in Stamford Hill tell me they too have been advised to lie about their true earnings. Worried about incriminating themselves, they want to be anonymous. Their words are spoken by an actor.

MAN: I was on the books, or registered as earning a little bit over £1,000, and my partner was registered as working 16 hours a week at minimum wage, so about £400 to £460 a month.

ABBOTT: So your official salary was £1,000 a month. How much was your actual salary?

MAN: It was far more than that. It went up over time, but I was earning thousands of pounds a month more than that. At the top end, it was about £50,000 a year. Sometimes it's paid out literally in cash, given to you in a brown envelope.

ABBOTT: Just like Miriam, he told me this was following guidance from Agudas and Mr Posen. But, I wanted to know, could this perhaps be straightforward advice about the benefit threshold?

MAN: In fact, I asked them, when I was looking for work originally, and I asked them about a couple of different roles that they themselves were advertising, because they do job placement as well, they said, 'No, don't take that job, because they won't pay you off the books.' I'm sure there are some people that work there who feel that they are just helping people who need a bit of help filling out forms, but the strategy is, let's enable this community to have access to a huge amount of money that they wouldn't, according to the rules, have access to. I think the real question is, what else is happening in the community that prevents people from earning a living in a respectable way?

ABBOTT: This man, like others I've spoken to, insists this is a widespread practice. But it is difficult to prove as those extra payments are designed to be untraceable. So we came up with a cover story for someone posing as an Israeli coming to Stamford Hill to settle, find work and try to claim benefits. He gave Mr Posen a call.

ACTUALITY OF PHONE CALL

RECORDED MESSAGE: Thank you for calling Agudas Israel. For Mr Posen's telephone advice line, press 1. Please wait a moment. [PIPED MUSIC]

POSEN: Hello?

ABBOTT: The conversation is in Yiddish, so this is a translation with the words spoken by actors.

POSEN: You have a wife?

UNDERCOVER MAN: Yes, a wife and six kids.

ABBOTT: After confirming a few details, our undercover man asks whether he can work the benefit system if he gets a job. Mr Posen replies:

POSEN: You can be a teacher in a religious school and we make a solution. We'll sort it out.

ABBOTT: So we pressed on to find out what he meant by that solution.

UNDERCOVER MAN: What if the religious school gives me more than £700 a month, no?

POSEN: Regarding that, it's better. The more the better.

UNDERCOVER MAN: But if I make more, I get less, I get less ...

POSEN: Benefits, yes, that's another problem, that's another thing [LAUGHS].

ABBOTT: It seems Mr Posen found this quite funny. He goes on to say it's pretty straightforward.

POSEN: You'll sort it out with the religious school how much you'll earn exactly, and that will include how much you work officially as well.

UNDERCOVER MAN: I understand. I can make a portion of it official and a portion ...

POSEN: Black.

ABBOTT: Black is the word used for off the books. Another person who rang the advice line for us asked about what she should do if she buys her own house.

POSEN: If you buy something, you can't claim Housing Benefit.

UNDERCOVER WOMAN: Right, so is that completely, is there no other option or is that just how, I mean, do we?

POSEN: No, that's how it is. You can only claim Housing Benefit if you're paying rent. If you own your own house, you can't pay rent unless somebody else buys it and rents it to you.

ABBOTT: In other words, the exact plan Miriam and her husband came up with. Agudas is a charity with a remit to alleviate poverty. It gets funding from the National Lottery and Hackney Council. We asked Agudas for an interview. They declined, but told us in a statement:

READER IN STUDIO: We only give advice within the law and aim to help those seeking benefits to navigate through what can often be a complicated process. We would never advise claimants to make fraudulent claims and absolutely do not condone unlawful behaviour in any way at all.

ACTUALITY OF KIDS PLAYING

CHILD 1: ... all the way across?

CHILD 2: Yes!

ABBOTT: This is a lively after school play session at the home of Emily Green and her three children. Up until six years ago, they lived a far more restricted lifestyle in the Stamford Hill community. Since leaving, Emily has set up a charity called Geshar EU. Geshar means bridge in Hebrew. Emily provides one for those planning to leave the community and those who've already left. She says that working off the books was just the thing to do.

GREEN: People that we knew in our synagogue and our community did exactly that and it didn't, it was almost like it was the norm. It wasn't seen as a crime almost. It was like this is the only way to do it so this is done, it's what you do.

ABBOTT: It almost might sound to some people like you are excusing it, because ultimately it is a fraud.

GREEN: It's not about excusing it, but I think it's really understanding how people end up, you know, committing that crime. You've married young, you've got no opportunities or choices to work, and you got all these, this lifestyle that you're expected to lead and children to provide for. It feels like that's the only option really.

ABBOTT: When I first started looking into these practices, I was told it was a symptom of a community living in poverty. But it's more complicated than that. As we heard, one couple earning up to £50,000 were still claiming benefits, because much of their salary was paid off the books in cash. And for those who don't want to deal in cash,

ABBOTT: I wondered about Jewish law and what exactly it says about that. I went back to our expert, Professor Samuel Heilman.

HEILMAN: There's a rule in the Talmud that talks about the risk of what's called being a Mosa or someone who rats on their own people, and again that comes from the fact that for much of the Jewish experience, certainly in Europe and within Christendom, was that the Jews were subject to all kinds of exclusions. So being someone who would help the authorities, that sort of morphed into the idea that saying anything to the authorities would be against the law.

ABBOTT: I couldn't understand how a religion dedicated to strictly following the 613 rules of Jewish law could possibly sanction this kind of behaviour. It was something that puzzled Miriam too. She went back to her Rabbi.

MIRIAM: I said, I'm really not happy about the benefits thing. And the Rabbi replied to me, 'It's not stealing because it's from the non-Jews.'

ABBOTT: Really? That's what a Rabbi would say?

MIRIAM: That's what I remember him saying. And he also said to me that the Jewish lifestyle is very expensive and we need to do this.

HEILMAN: There's a rule in Jewish law that basically says 'Dina de-Malkhuta Dina' which means the law of the land has the same characteristic as the basic law, and certainly Jewish law says thou shalt not steal. It doesn't say thou shalt not steal from your Jewish neighbour - it says thou shalt not steal; that includes everyone.

ABBOTT: Where could a belief like that arise from then?

HEILMAN: I think a belief like that could arise from the fact that much of the sort of collective consciousness and collective memory of Hasidism has been very much shaped by their experiences in Europe, where they were the objects of a great deal of persecution. And the feeling was that that world was overwhelmingly antisemitic, and when the outside culture is demonic and wants to do you in, then the thought could emerge

ABBOTT: Rabbi Abel grew up in an ultraorthodox community. His father spoke out strongly against the insularity of Hasidic Jews. As a result Rabbi Abel is now based in this mainstream synagogue.

RABBI ABEL: Making false claims, rigging the system, setting up all sorts of housing arrangements which effectively rely on public funds to be used in an illicit manner to afford people to get along more easily in life at the expense of others is theft, and if they're doing it quite publicly it's burglary too, of one kind or another, it's fraud. However, I do have a clue as to why it has come to this. There has been a drive within the Charedi world, as it's now known, which has led to a poverty bomb which is really quietly exploding all over the place. Living in a very sort of bubble-type atmosphere, shunning many aspects of the outside world, sending people off to study, children even off to study in institutions or in schools that actually do such a bare minimum of maths and English or anything else, it doesn't give them half a chance of knowing what to do in the wider world. This cannot continue. What happens is that they may then start getting too clever, looking into alternative, illicit ways to get by, and that is a tragedy. It has to stop.

MUSIC

ABBOTT: We've discovered even some of the wealthiest in the Stamford Hill community are doing this. One businessman, who owned more than ten properties, has been ordered to repay a six figure sum in housing benefits. Another man was refused housing benefit because he failed to disclose he'd recently sold a house to a relative. He said the money from the sale went to pay off a loan. But wouldn't provide proof. He complained about the decision to turn him down to the local government ombudsman. But that failed. And subsequent attempts to reverse that decision also failed in 2002. Yet another businessman, Chaim Reiner, who's 33, is also facing criticism over housing benefit.

ACTUALITY WALKING UPSTAIRS

ABBOTT: This is your bedroom?

HENRY: Yes, but ...

ABBOTT: But also your kitchen area ...

HENRY: Study, it's a studio ...

ABBOTT: Study, lounge ...

We've also visited one of Mr Reiner's self-contained flats, in Neasden in West London, which he advertises to tenants over the age of 35. Housing Benefit for over 35s in self-contained flats is much higher than Housing Benefit for a room in a shared house. Mr Reiner wants the benefits for the rent to be paid to him directly. And that's what Henry does, who lives here, in not exactly spacious surroundings.

I have brought my tape measure with me, so if you don't mind, I would be interested to see how big this room is. If you take that end.

HENRY: It shouldn't take us too long to measure this place up.

ABBOTT: No, I don't think it will. And I go this wall, yep, it's not even 10 feet, probably nine and a half feet wide in that direction. Let's try the other direction. Are you on that wall?

HENRY: Yes, I am.

ABBOTT: Stretch out to this one, and yep, it's just hitting 11 foot in that direction.

HENRY: It's even smaller than I thought.

ABBOTT: And what about the kitchen in this self-contained studio flat? Well the landlord did provide a hob. But there was a problem.

HENRY: The hob was always in the box in the cupboard. I never took it out.

ABBOTT: So your self-contained flat with a kitchen was in fact a hob in a box in a cupboard?

HENRY: Yeah, there's really no other way of putting it.

ABBOTT: Henry pays more than £1,000 in rent and there are six flats here. Mr Reiner told us in a statement that neither he nor the companies he controls are responsible for the applications for Housing Benefit made by any tenants. Henry's local council, Brent, has now ordered these flats be converted back to a normal house and the rooms will qualify for a lower level of Housing Benefit.

MUSIC

MIRIAM: What I did was a crime; I've had to accept that.

ABBOTT: During her 17 year marriage, Miriam and her husband wrongly claimed £124,000 in Housing Benefit and tens of thousands more in Working Tax Credit and Child Tax Credit. She became increasingly uncomfortable about it.

MIRIAM: I was made to pay an enormous price and I am still paying an enormous price for the life that I was coerced into living.

ABBOTT: She felt the life of a Hasidic Jew limited her education and choices as well as that of her family and the wider community. She began studying for an Open University degree, using the internet regularly and sometimes stopped wearing the wig customary for Hasidic Jewish women. There were more and more arguments until finally she felt she had to leave. She had already met a new man and was planning a new life, but didn't want to walk away from the equity she had in the house. It's now worth more than £1 million and she wants it sold so she can pay back that housing benefit. Proving her entitlement to a share after buying it in that unorthodox way has been difficult. After six years of trying to negotiate with her brother - don't forget his name is on the deeds - and her ex husband, she went to the High Court. In evidence, she submitted hundreds of pages of documents and witness statements, including bank records, payslips, emails and personal diaries. The court ruled she was entitled to three-quarters of the sale proceeds after the

mortgage is paid off. The judge, Mr Justice Rosen QC, concluded the way the house had been purchased was:

READER IN STUDIO: ... supported by or perhaps even initiated by their community leaders in Israel and in London, including rabbis from the Hasidic movement.

ABBOTT: We asked the body representing the religious leaders in London, the Union of Orthodox Hebrew Congregations, whether they know about people lying about their wages, fraudulently claiming benefits, and getting their salaries paid via charities. They told us:

READER IN STUDIO: The Rabbinate places the utmost importance on upholding the law of the land and does not condone any activity which runs contrary to it.

ABBOTT: The Hasidic Jewish community in Stamford Hill is a small and tightknit. It's impossible for anyone to know how common the practices we've uncovered are. Some insist it's just a few people. And during the course of making this programme, we've been accused of antisemitism. But back in Liverpool, Rabbi Ariel Abel thinks there is a problem and it needs tackling head on.

RABBI ABEL: What I would suggest is that there is a call for a working party to find long term lasting solutions. No one wants to come with the idea that we're here to do some Charedi bashing, some ultraorthodox witch hunt. No. What we're here about is cleaning up an act and offering at the same time an alternative. We have to do it in an atmosphere of amnesty, not one of, you know, trying to see who we can hang out to dry.

ABBOTT: But are you talking about not prosecuting people who have defrauded Housing Benefit, the DWP?

RABBI ABEL: Yeah, the law has got to be upheld, but what I am saying is that it needs to go further than that. It needs to get to a situation where there are viable and alternative frameworks for the same people who are trapped in the same poverty wherein they can actually deliver themselves from that, and that has got to be no less a

