

Layla Moran

Parliamentary Candidate for Oxford West and Abingdon

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# Submission to Inquiry on Use of Immigration Detention in the UK

I would like to start by praising the All-Party Parliamentary Groups for Refugees and Migration for instigating this much-needed inquiry. Detention for immigration purposes is a hugely contentious moral issue that in my view has not been thoroughly evidenced as being the most humane and efficient way of dealing with immigration cases. I am delighted this group is undertaking this task but also hope that the Home Office and the Ministry of Justice will proactively take on board its findings.

Before I speak to my local area I would like to address two issues that I see as moral anomalies with respect to detention practices in the UK.

## Human Rights

How can it be right to remove a person's freedom for simply wanting to escape persecution and poverty? In most cases detention is used to incarcerate people who are seeking asylum or are awaiting the outcome of their immigration cases. Given the decline in those rejected by the system, this suggests that the majority of applicants are genuine and therefore we should be treating them as a rule with respect and dignity.

Further to this, it is my belief that as one of the world's most respected liberal democracies, our common British values dictate the following: first, that we try to help those in our communities who are in danger or at their most vulnerable; and second, that everyone has a right to be presumed innocent until proven guilty. Detention before absolute proof of guilt (which in this case means false claimants) and the fact that the majority of cases are accepted into the UK contravenes both of these tenets.

Internationally, it is equally worth noting that the UK is bucking the trend among western developed nations on this matter but seeking to expand its detention estate. More on this matter later.

### Indefinite Detention

Currently in law, if a person has committed a crime and given a custodial sentence they are given a definite time frame for that incarceration (provided naturally that no other evidence of misdemeanours come to light). Therefore how can we justify open-ended detention in any case involving immigration. By setting no upper limit for detention we are treating these people worse than we do proven criminals. Furthermore we know that incarceration is costly to the taxpayer. Therefore indefinite detention can result in massive costs. Surely, but especially at a time of austerity, this is an unsustainable position for any government.

### Effect on local community

Detention is an issue that has a direct bearing on my constituency, Oxford West and Abingdon, due the presence of Campsfield House in Kidlington, Oxfordshire. I should now like to address the effect having such a detention centre has on the surrounding community.

It has recently come to our attention that the Home Office wishes to more than double the capacity of Campsfield House Immigration Detention Centre and so the presence of the centre has been raised in the consciousness of the local community. On 20<sup>th</sup> October 2014 there will be a public meeting to discuss opposition of these plans and I have received many letters from constituents who feel that this more than a question of planning. They feel they have not been consulted on whether having a centre like Campsfield is right for the local area. When people in Oxford West and Abingdon hear about the people and conditions in which they are kept, they as a whole do not support the centre. Furthermore there are several ways that the centre affects the local community.

## Positives of having a Detention centre

1. The only upside is that it provides a small number of local jobs. However the operative word is small. Given that the site is well situated for more desperately needed housing and retail space I do not believe this upside is particularly attractive.

## Negatives of having a Detention centre

1. Emotional trauma to the community.

Every time the local paper reports on activities within the centre it causes upset among residents. As the IRC lies in their area they are more likely to hear these stories than in other parts of the country. A recent example in Campsfield was fire about a year ago where several detained had to be hospitalised, and before that there have been stories of hunger strikes, escapes, self harming and even suicide. Each event is traumatic to those inside the fences but the ripples spread wider than that. I do not believe that is sufficiently acknowledged by the government.

Another source of trauma is when friends/families were affected by an individual's detention/removal. This includes a whole range of Oxford residents, including teachers, NGOs/volunteers, partners, children, neighbours, other asylum seekers, social workers, fellow pupils, etc. A caseworker told me:

*"I remember speaking many times to certain teachers in local schools/colleges, who kept having unaccompanied (often Afghan) asylum seekers that they'd supported for several years as children suddenly disappear into detention and then get removed once they turned 18. It was incredibly distressing to them (as well as those removed of course)."*

- Melanie Griffiths, ex-Caseworker to Evan Harris MP

I am of course pleased we no longer detain anyone under 18 but I equally wonder if, at the time, we realised that this impact even existed in the community. This sort of impact is largely undocumented but the evidence I have heard locally suggests that it does exist.

## 2. Local human resource

A large amount of local human resource is spent on supporting detainees. There is an active campaign group Close Campsfield who monitor and protest to raise awareness regularly. Their largest protests can attract hundreds of people.

The previous MP Evan Harris had on average 5 cases referred to his office a week. Each was very different and while some took a few hours, others were extremely labour intensive and involved having specialist knowledge in dealing with multiple agencies. A part-time caseworker was employed to tackle these cases and they would often work far and above the call of duty to support detainees. We understand from Asylum Welcome that the current MP does not offer this level of support, so these cases are now taken up by local charities like Asylum Welcome, local volunteers and other charities and NGOs.

In my interview with caseworkers the following issues were also raised. Their words quoted below.

### The system as a whole

“The whole system is confused and people often don’t have any idea what is happening to their immigration case or what will happen to them in detention. If they ask to be transferred to another IRC (e.g. to be close to family), they are refused. But then others who want to stay at one IRC will be transferred without reason or warning, often multiple times, disrupting their social/legal support networks and contributing to their sense of having little control or stability over their lives.”

### Treatment of detainees and transparency

“We’d get allegations of assaults or bullying sometimes but CCTV footage would always have been accidentally deleted, records of who was assigned to which room strangely not available, or simply accounts denied and witnesses removed/transferred.”

### Availability of healthcare

“Health care is a constant complaint of detainees – who say that they are fobbed off with Paracetamol whatever the issue, their complaints not believed, waiting times for external appointments/dentists too long, etc.”

### The treatment of torture survivors

“Also lots of issues around the detention of torture survivors. The HO’s ‘Rule 35’ process for identifying and protecting such people is awful. You’re basically damned if you do and damned if you don’t. If you are covered in scars from torture but don’t have a medical report testifying this, you are not believed. If you have such a report from an independent doctor, they’ll say it’s not objective. If you (by some miracle) have a report from an IRC’s own doctor saying that you appear to have been tortured, they’ll say that other factors could have caused the scars...”

No doubt these issues will be picked up in more depth by the inquiry.

### Conclusions

One thing remains clear to me: it is my opinion that the system as it currently stands in inhumane, not fit for purpose and therefore likely to further exacerbate social cohesion in the

UK. It is not the right path for the country, the detainees or for local communities that must house them.

I look forward to hearing the outcome of this inquiry and want to end by posing a question: Given that there remain questions surrounding the efficiency and morality of the current system, why is the Home Office already looking to expand detention centre capacity at this time? I would urge this inquiry to actively seek to halt any such expansions, like the one at Campsfield, until this inquiry has been able to report back to the Home Office and Number 10.