

Detention Inquiry Joint Submission from Manchester Based Organisations

Part 1: Evidence from those with Direct Experience of Immigration Detention

Introduction and Summary of Key Points:

We welcome the panel's attention to this matter and urge the Government to put an immediate end to the unjust practice of detaining people who have come to the UK to seek safety. In our view, detaining asylum seekers who have committed no crime is inhumane and indefensible. To deprive people indefinitely of their liberty in this way causes huge human suffering, erodes mental wellbeing and makes vulnerable people more vulnerable still. We argue that UK Detention Centres are places where basic human rights are routinely ignored, and where detainees can be subject to sexual abuse, beatings, labour exploitation and appalling medical care at the hands of Detention Centre staff. We are also concerned that barriers to communicating with the outside world prevent access to justice.

Furthermore, we believe that detention of asylum seekers is both illogical (especially where there is no planned deportation), and a scandalous waste of taxpayers' money. If the Government were to reduce the amount it spent on detention, then there would be more money for dealing properly with asylum cases and getting the decision right first time round. Likewise, if asylum seekers had permission to work to support themselves, the burden on taxpayers would be further reduced. Eliminating detention - and the fear and anxiety it creates - would also make people more likely to report and stay in contact with the Home Office. Detention is not the answer! We assert that detention should play no part in the asylum process and the Government should urgently commit to addressing problems in the entire asylum system to give us a more just and fair asylum process.

"To go to a place where you think you will get sanctuary and then you get detained is incomprehensible."

"It made me want to die. I couldn't bear being kept in those conditions. I am not a criminal."

"I feel I was treated as an animal, not human. It is torture in a way, mental torture."

"You come to save your life, to find refuge. In detention it felt like dying is better. Sometimes it still feels like that but outside I have support."

"Being detained made me feel bad about Britain. My first impression was that everyone is racist. That everyone hates black people. I still feel this."

In Part 1 of this submission we present the following evidence:

- **For detainees, Detention Centres are just like prisons** – from the fear and mental torture caused by arbitrary decisions to detain and the indefinite loss of liberty, through to the physical environment of the Detention Centre – which is intimidating, overcrowded, and involves lack of privacy and loss of dignity;
- **Heavy restrictions on communication with the outside world** – leading to feelings of isolation and preventing access to justice;
- **Restricted access to legal advice** – including long waiting lists to see solicitors, difficulties communicating with your legal representative, and no information to detainees about their rights;
- **Appalling healthcare** – including staff failing in their duty of care by dismissing or ignoring requests for medical attention, and deprivation of prescription medication as a means of controlling detainees (this includes HIV medication, where failure to take it at regular intervals seriously risks health);

- **Inappropriate treatment of people with serious mental health conditions** – including detaining vulnerable people, loss of dignity for those put on ‘suicide watch’, limited access to counselling or antidepressants, and no follow-up or discharge plan for detainees with poor mental health (many of whom are released into destitution);
- **Long term effects of detention on detainees** (trauma and flash-backs, and shame associated with stigma of being detained) **and their friends and family** (including fractured relationships, children leaving the family home as they fear being detained);
- **Sexual abuse and beatings at the hands of Detention Centre staff;**
- **Labour exploitation of detainees, which we regard as a form of modern day slavery;**
- **De-humanising treatment of vulnerable people by Detention Centre staff** who appear poorly trained, unsympathetic, and with little awareness of their duty of care;
- **Risk to vulnerable asylum seekers – who have committed no crime – of being housed with convicted criminals awaiting deportation.**

Who we are:

This is **Part 1** of a joint submission from **Women Asylum Seekers Together, United for Change, Manchester Migrant Solidarity** and the **Boaz Trust**. We are a collection of groups and organisations offering support, solidarity and practical help to people seeking asylum in Manchester. Our members, staff and volunteers have all been affected by detention in some way and came together for a joint evidence gathering/ hearing event. Part 1 collates evidence from people with direct experience of detention (this is supplemented by seven individual testimonies), while Part 2 collates evidence from all respondents. For queries or points of clarification, please contact: NorthWest@regionalasylumactivism.org | 07557983264.

Evidence and key findings from those with direct experience of detention

1. Your experiences of living in immigration detention, including the context and duration of your stay.

1.1 At our evidence-gathering event we heard many troubling stories about individual asylum seekers’ experiences of living in detention. Some people didn’t feel confident enough to share their full testimony, but seven did (please read separate Manchester Testimonies). Several witnesses were detained approximately 2 months, but one was in detention for six months and another for nearly year. One experienced heavy-handed and intimidating tactics from the enforcement team that came to take her away (Testimony 1). At least four people witnessed beatings at the hands of Detention Centre staff (Testimonies 2, 3, 4 and 5). One lady experienced serious sexual abuse (Testimony 4). Another lady (Testimony 3) – who is a nurse by profession – witnessed neglect and extremely poor medical care. One young man (Testimony 6) was made to share a room with a man who had murdered his wife.

2. The conditions in immigration detention, including your ability to access services such as legal advice, healthcare, pastoral support.

2.1 Physical Environment - Many of us feel **being locked up in a detention centre is no different from being imprisoned** - both mean you are deprived of your liberty, and have no control over your life. People who have come here to seek safety in good faith are made to feel like criminals.

“It’s a prison. High fences with wire on top, locked 24/7. You can hear the sound of keys constantly as the guards walk up and down. Two people share a room. The window only opens a couple of inches.”

2.2 Many of us feel the **physical location of detention centres is problematic**. Often we are moved hundreds of miles from where we have been living, which makes it virtually impossible for friends with

little or no income to visit. This adds to the isolation of people in detention. We also feel detention centres like Yarl's Wood are deliberately isolated and away from the public eye. Most people don't realise detention goes on in the UK.

2.3 Privacy and dignity - Many women find there is a **lack of privacy** and that male guards are often on duty and enter the room without knocking (to be seen naked by a man is absolutely not allowed in many religions and cultures). Women put on 'suicide watch' are not allowed to close the door when showering or using the toilet, which is undignified. Detention Centres are overcrowded, and there are multiple people in each room meaning detainees are sometimes forced to disclose medical conditions such as HIV to fellow detainees, leading to loss of dignity and risk of stigma. In this sense, several people said the standards are below that of women's prisons.

"I can't change my clothes because there's a male guard there."

"They [officers] didn't knock. They were always checking on you. I'd be naked from the bathroom - men and women saw my body." (M'cr Testimony 3)

2.4 Communication with the outside world is very important in protecting people's mental health and enabling them to evidence their asylum case. However, time and time again, we had **restrictions placed on our communication**. These include:

- **Phone calls** being restricted. Your phone is taken away if it has a camera and in detention you have to use 02 which has a more expensive tariff. There can be waiting lists for a mobile. We are given too little credit to call other mobiles (our asylum seeker friends rarely have a landline so it is hard to make contact). The cheapest top-up voucher costs £10 and you have to wait to afford/ be bought credit. The phone has no internet access, so using apps like whatsapp to contact people outside of the UK is not possible.
- Difficulties **booking in visitors**. E.g. Visitors must call first thing in the morning and are only allowed a 30 min slot at Pennine House, but by the time staff have checked you in and searched you, your time has been halved – even if you arrive early.
- **Use of an Interpreter**- For those of us who can't speak English well there were no interpreters offered. Many of us weren't sure if we had the right to request an interpreter.

"All your internet searches and correspondence is censored. Most internet sites are blocked which means you can't get essential information for your case. I was told the fax and e-mail machines were broken. I really needed these for my case but they weren't repaired for days."

2.5 Getting Legal Advice - Many of us experienced long waits for free legal advice. In some cases the date of the next appointment with a solicitor is after date you are booked on a flight. Some people aren't made aware they have to put their name on the list, so the wait is made longer. Because of restrictions on communication, it's hard to maintain contact with your lawyer in detention. One detainee was told to give the main fax number, yet did not receive important information (details of a psychiatric appointment). Another said she did not receive personal mail.

"There were three solicitors in Yarl's Wood. If the first solicitor you speak to thinks you haven't got a case you can't see the others for a second opinion. You don't get a choice."

2.6 Detainee Allowances/ Labour Exploitation of Detainees - In 2008, the daily allowance was 79p per day so detainees had to save up all week to be able to afford anything (e.g. toiletries or phone credit). Detainees are offered a tiny wage if they agree to work (e.g. cooking, cleaning, selling food). This is a form of **modern day slavery** and we feel this is utterly hypocritical since the government will not give asylum seekers permission to work in the UK, and the reason some people are sent to detention in the first place is for working illegally.

"You get 60p per woman per day in detention. You get paid 50p to £1 per hour if you work.... I am not allowed to work in the UK, and then get a job description from the UKBA. This is slave labour and should be prosecuted under slavery legislation. It is outrageous that asylum seekers have no right to work unless in detention."

3. Whether there were appropriate mechanisms to deal with any mental, physical or emotional issues you may have experienced prior to or during your time in detention.

3.1 Detention erodes your wellbeing in many ways. We are deeply concerned that **people's health needs are at best not properly responded to, and at worst ignored or exacerbated by being in detention.**

3.2 Firstly, people who are detained at Reporting Centres are often **deprived of their medication** for longer than is necessary. Once in detention, people often find medication is refused and many of us found that **depriving us of medication is used as a way to control us.** Many of us feel staff assume you are making up a health problem to help your case. As a result, serious health problems are trivialised (e.g. being given **paracetamol for every ailment**), or it is left to the last moment to respond.

"If you complain of illness they don't listen, they say it's a pretence, that you only want to advance your case." (M'cr Testimony 5)

"I was bleeding for one month, ignored. I went to healthcare 74 times. I was so stressed I banged my head on the wall. They just said we will make big security, put you in solitary." (M'cr Testimony 4)

3.3 One detainee recounted a shocking story about a heavily **pregnant woman** in Yarl's Wood. She was having labour pains and the healthcare staff said she was lying. It was only when her waters broke that they believed her and took her away in a wheelchair. In another case an **older woman** was on her period and bleeding heavily. She was in lots of pain but this wasn't addressed; she was just told to get tissues from the toilet. In another case, a detainee had **diabetes** and had to be admitted to hospital after incorrectly being injected by the Detention Centre's medical staff. One detainee was given the wrong medication and had a severe allergic reaction:

"I got a terrible allergic reaction so they put me in isolation for 2 weeks. No one came in the room. They just put the food in through the door and left it. I had no one. I missed my bail hearing. Then I was so ill I had to go to the hospital. I was taken there by 4 great big men. Why did they need to do that for just me? It was so humiliating." (M'cr Testimony 1)

3.4 One woman recounted how a fellow detainee who had cancer was denied treatment because of the actions of the security guards. She had an operation scheduled but at the hospital the security guards insisted on being allowed into the operating theatre. The doctor refused and her operation got cancelled. It was many weeks until she was released, and she still hasn't had her operation (see M'cr Testimony 3).

3.5 We're **particularly concerned about the treatment of people with HIV**, who often do not have their medication when they are detained. HIV medication is not easily accessible so cannot be given

immediately when in detention; it is an adherent that must be taken at regular intervals, otherwise there is a serious risk to health.

3.6 Those already suffering from **acute depression or other mental health issues** should not be detained at all. In our experience, detention amplifies existing mental health conditions, but doesn't offer anything to support detainees. More than this, detention itself triggers mental health problems. We have all witnessed people who previously didn't have mental health problems develop them in detention. As one detainee explained:

"It can really break people. You see people become a shadow of who they were, scared, having lost weight, melting before your eyes."

"There is constant noise and women screaming. You have to share rooms with women who are very ill or depressed. You are really scared in there." (M'cr Testimony 1)

"I told one of the guards I was hearing voices in my head but I didn't get to see a doctor in there."

(M'cr Testimony 2)

"There was a lot of self harm; they [detainees] cut themselves with drinks cans or broken cups. Most of them wanted to kill themselves." (M'cr Testimony 3)

"You get illnesses you never had before – high blood pressure, depression, the fear of getting sent back to the country you fled from... You forget about your life, you think the next day you will die. You don't see the sun." (M'cr Testimony 5)

3.7 **Mental wellbeing relies on a support network** made up of family, friends, support services and the wider community. This is built up over years but **it can be taken away overnight and indefinitely when a person is detained.**

3.8 People who have been **imprisoned in their own country** can be **re-traumatised by detention.** Yet in our experience, when our supporters make Rule 35 requests on our behalf these are ignored. Some of us are survivors of torture but we are still detained.

3.9 In one case, a female detainee had depression but had no access to anti-depressants. She was not initially prescribed them, and it took her support group and MP lobbying the detention centre before she was given a prescription. The same detainee was placed on 'suicide watch'; being observed all the time. This led to paranoia and loss of dignity, which worsened her mental distress.

3.10 **You can't imagine the level of stress and anxiety caused by being told your deportation flight has been booked, then cancelled on the day** (this happened 3 times to a man detained at Colnbrook for 130 days in 2014). Scheduling and cancelling deportations is also hugely expensive for the Home Office.

3.11 **Accessing help for mental health problems after detention is difficult** - People released from prison will have a discharge plan and support in place, but nothing is provided for us leaving detention. When a detainee is released from Yarl's Wood it takes half a day for paperwork and admin to be sorted out. People usually get back to Manchester gone midnight, exhausted, in poor health, with no aftercare or follow-up. Often they are destitute, there is no help, and they are still expected to sign at the reporting centre daily. Many of us get informal emotional support from our own communities, but this isn't the same as having a professional counsellor.

4. Any longer-term impacts of detention on you, your family and/or your wider community.

4.1 In our experience, everybody who's been detained finds there is a **long-term impact on mental health**. There is the persistent fear it may happen again and if you were detained while signing, that can make future signings very stressful. If you were detained 'randomly', that fear can be all the time. One young woman was detained three times. Going to Dallas Court to sign was incredibly scary for her. She lost weight. She has now got status and is a British Citizen but she still struggles to sleep at night, has flashbacks and is scared someone is following her.

"My friends say I am strange now but I don't know. Some mental problems. I get flashbacks any time. I don't sleep. I walk along the road then get a flashback. I feel scared am always frightened people are coming to pick [detain] me." (M'cr Testimony 2)

"I have never forgotten. It has never left me. I get flashbacks... I am frightened of every knock on the door. It is the postman or someone but I think they are coming for me again. I am scared when I see a policeman. It affects my concentration. I am scared all the time. I feel it would have been better to die under Mugabe than go through this." (M'cr Testimony 1)

4.1 Detention also has a **knock-on effect in the rest of the refugee community**. For example, when one Congolese woman was detained there was total panic within the whole Congolese community. Others without status also become more fearful of reporting and could be more tempted to go underground.

4.2 After being released, many people find there's **stigma and shame surrounding being detained**. If you are accused of a criminal offence you are considered innocent until proven guilty and go through due process before getting locked up. Detention doesn't have judges and jury; no evidence is needed - it's just an administrative process.

"We are treated like criminals. It's not a criminal offence seeking asylum."

"They make it so awful people don't want to come. They have to register and fingerprints and everything. Some people are scared to visit in case they are arrested. Even visitors feel like criminals." (M'cr Testimony 1)

4.3 It has a **long-term impact on families**. In one case parents and children were detained and then released. The children (aged 11 & 14) were so fearful that their parents would be detained again, they left home and sofa-surfed with friends so as not to be at risk of detention. This put a huge strain on their relationship with their parents.

4.4 Many people also fear the increased **threat to family/friends back in their country of origin** when news gets out that they are to be returned home. Sometimes the deportation is cancelled at the last minute, but the wheels are already in motion and this doesn't stop your family being at risk.

4.5 **Relying on family and friends not only impacts on us, but also on our supporters**. It can be traumatic to visit someone in detention, where detainees and visitors alike are made to feel like criminals. It can also be very distressing to have someone relying on you, when you aren't a legal expert but still want to help them. We sometimes have to borrow money from friends for legal fees; this can hurt our relationships.

5. Any other information about detention that you would like to share.

5.1 Many of us are worried that **private security firms** are allowed to run Detention Centres. Not only do they demonstrate little knowledge about the asylum system or compassion for us, but they ignore our basic rights and disregard their duty of care for vulnerable people. They appear to act as if they are above the law:

“Staff don’t see detainees as human like them, they think there will be no consequences as they’ll get deported anyway.”

5.2 **Sexual abuse of female detainees** is a very common experience in detention, so much so that rather than being isolated incidents, people describe it as part of the culture in detention. When contact with the outside world is restricted, when there is a good chance victims will be deported and there will be no consequences, and when there is a wider culture of ignoring the basic rights of detainees, everybody is vulnerable to sexual abuse. One female detainee, who has since won a sexual abuse case, described her experience:

“I was sexually assaulted three times by a man in healthcare. The first time, I was vomiting and had diarrhoea. They put me in healthcare and gave me a sleeping tablet and stress tablet. A man came into the room and said; ‘I like you, I want sex with you’. He was doing wrong things... I told another woman who encouraged me to tell, but I was scared. I kept quiet. I didn’t go to healthcare for days... I got scared when I heard about another woman who was pregnant with an officer. She was deported, seven months pregnant. I was shaking, feeling dizzy with what was going on.” (M’cr Testimony 4)

5.3 Several detainees witnessed **beatings** at the hands of Detention Centre staff. These often happened when a person was about to be deported. One detainee heard rumours that staff are offered bonuses (£3,000) for every successful deportation and said they will therefore stop at nothing to make sure you board the plane. As well as beatings, she witnessed people being given tranquilizers, and one case where a person’s phone was snatched from her so she couldn’t call her lawyer.

“At night guards drag women on to the floor and put them in handcuffs. When they resist the guards hit them with a stick. I saw this happening in the corridor at night. They threatened if I say anything I would get it. It made me terrified to say anything. I was scared all the time I was there. I felt like killing myself.” (M’cr Testimony 2)

“I have seen women being grabbed and pushed, drugged with sleeping tablets so they can be taken to the airport. When I asked about them, people said don’t ask, they are just gone.” (M’cr Testimony 4)

“There’s also verbal and physical abuse. One woman was harassed, she fell over and broke her back. They use handcuffs on us, I heard women talking about having been beaten by the guards. It was common, not just a few people.” (M’cr Testimony 5)

5.4 It is morally indefensible for staff to profit from such actions. Our calls for an **independent inquiry** into abuses at Yarl’s Wood have fallen on deaf ears, and show nobody wants to accept responsibility.

5.5 **We are often put in the same room as convicted criminals.** One man shared a room with a man who had murdered his wife (See M’cr Testimony 6). This puts asylum seekers - who have committed no crime – at risk, which may compound mental health problems.

5.6 Finally, we object to the **de-humanising language used by the Home Office and Detention Centre staff** - language such as ‘removal directions’ (which makes it sound like moving furniture) or ‘returns policy’ (like taking clothes back to M&S) – **this language can make you forget you’re talking about human beings, and this is very dangerous.**

For Our Recommendations, see Part 2.