



## **Submission to the APPG on Refugees and APPG on Migration Inquiry into Detention September 2014**

### **1. Refugee Women's Strategy Group**

1.1 We are a **representative group of refugee and asylum seeking women**, supported by Scottish Refugee Council and funded by Comic Relief, **whose aim is to ensure that the voices of refugee women are heard**. We work together to represent the views of refugee and asylum seeking women in Scotland to key decision makers and service providers to influence the policy and practices that affect our lives. Our group is an integral part of the Scottish Refugee Policy Forum, a federation of Refugee Community Organisations in Scotland.

### **2. Introduction**

2.1 We welcome this opportunity to give written evidence to the Committee and would be more than happy to provide oral evidence as part of the inquiry. As well as representing the views of the wider community of refugee and asylum seeking women, some of us have direct experience of the detention process and feel that our voices provide an important perspective on these issues. Below we set out our response according to the Terms of Reference for the inquiry and include our recommendations for improvement. Please note that we have not responded to all sections.

### **3. Summary**

3.1 The RWSG believes that women have particular needs that are often not recognised in the UK asylum process and result in many women being refused protection and being detained. Many women have experienced sexual violence and trauma and arrive in the UK hoping to find protection and a place of safety. Instead, women have described to us degrading experiences of being detained and treated like criminals and the subsequent negative impact on their self-esteem and well-being, as well as on their children's well-being.

### **4. What are your views on the current conditions within UK immigration detention centres, including detainees' access to advice and services?**

4.1 It is our view that immigration detention is worse than being detained in a prison due to the fact that there is no time limit and that asylum seekers and refugees have not committed any crime and thus should not be held under lock and key. Similarly we

are concerned that women who are detained are not treated with dignity or with respect.

*“Privacy invasion is the order of the day, I remember one morning, officers doing a breathing check on me, a male being part of the team, walking into my room. I felt violated. Do I have less rights to privacy which makes them able to do that without thinking about my dignity?”*

Refugee Women’s Strategy Group member

*‘My daughter keeps asking “why do they treat us like we were terrorists?”’*

Refugee Women’s Strategy Group member

## **5. How far does the current detention system support the needs of vulnerable detainees, including pregnant women, detainees with a disability and young adults?**

5.1 We are concerned that vulnerable women, including those with mental health needs, victims of gender based violence, pregnant women and those who have experienced trauma, are being placed in detention. Not only does detention prevent women from receiving necessary help in their recovery process but it can re-awaken past trauma and further worsen their mental health

5.2 The decision to route to the Detained Fast Track is made “on consideration of the known facts relating to the applicant and their case obtained at asylum screening”. By not providing women with sufficient opportunity to disclose their experiences at screening, complex cases involving gender-based persecution end up in the detained fast track process. Women may be pregnant or have mobility or health needs and many feel that trauma, stress and exhaustion make answering questions accurately very difficult. This can result in delays and risks vulnerable women being routed to unsuitable accommodation or victims of torture or trafficking being routed into the Detained Fast Track.

We believe this unjust system should be abolished, but while it remains, robust procedures should be in place to ensure that women who have experienced gender based persecution are never placed in the Detained Fast Track.

5.3 Women in our communities consistently report feeling ill-informed of their rights and entitlements at all stages of the asylum process. Women should be provided with independent information about seeking asylum in the UK before entering the asylum process and before they are placed in detention. Access to good quality legal advice should also be guaranteed in detention to enable women to explore all the options.

## **6. What are the impacts of immigration detention on individuals, family and social networks, and wider communities?**

6.1 Many women have told us that the very thought of being detained forces them to live in both extreme fear and contributes to poor mental health. Thus the fear of detention is with us all the time and has a detrimental impact on our health and wellbeing, even on women who are never actually detained.

For women who have been detained, our members have told us that their 'lives have changed totally since being in detention' with far reaching impacts into their self-esteem, confidence, and mental and physical well-being.

*“Detention and all the processes that go with it can be degrading. It takes away one’s dignity and self-esteem. For weeks and months after it, I lost confidence, could not hold my head up as I walked the streets. Being treated like a criminal just takes out the will to live. Having children was the only thing that kept me going. Being followed at close range, even going to toilet is just saddening. Guards and Home Office staff talking to me like a criminal was dehumanising. One wonders whether one is less human than everyone else.”*

Refugee Women’s Strategy Group member

6.2 We are particularly concerned about the traumatic effect of this fear of detention and of detention itself on children. Asylum seeking children are extremely aware of detention having seen their friends and families being detained and children suffer extreme anxiety attending reporting centres and live in constant fear of detention.

*“My son described the experience of being detained as petrifying and like an emotional roller coaster”*

Refugee Women’s Strategy Group member

6.3 In terms of the wider community, women have told us that they feel the indigenous population will equate asylum seekers with criminals if they see them being detained and that this has a wider impact on integration.

## **7. There is currently no time limit on immigration detention – in your view what are the impacts (if any) of this?**

7.1 We are concerned that the UK is one of the few countries in Europe not to have a maximum time limit on detention, with some people being detained for years. **Indefinite detention** causes immense stress and anxiety to those affected, with many people are eventually released back into the community rather than removed from the UK.

Women have described detention to us a frightening and powerless process, particularly due to the fact that it is uncertain with no time limit and they have no information about what is going to happen to them.

The UK Government must end indefinite detention and establish in law a maximum time limit on administrative detention for immigration purposes.

**8. What are the wider consequences of the current immigration detention system, including any financial and/or social implications?**

8.1 When people are taken into detention, they are simply bundled into a blue van. Even if neighbours know that you have an ongoing asylum claim, there is a risk of them believing that you are a criminal if they were to witness such a thing. Following your release from detention, there are also difficulties with settling back into your community and this has a long term impact on integration generally.

8.2 We believe that a huge amount of money is spent on detaining thousands of people every year, many of whom are subsequently released. It is also our view that there are aspects of the asylum process which simply do not work for women and are unfair, for example the lack of childcare provided at substantive interviews, the expectation that women will be able to disclose their experiences of sexual violence immediately to a stranger and the fact that women attending interviews who have not been able to access legal advice prior to entering the asylum process. This unfair process thus leads to women being refused protection and being unnecessarily detained.

**9. How effective are the current UK alternatives to detention (e.g. bail, reporting requirements)? Are viable alternatives to immigration detention in operation in other countries?**

It is our view that the Home Office need to explore and consider alternative methods to detention which would involve working with women to ensure that they are aware of their rights and are supported at all stages of the process. Women need to know that the process and the decisions that are made are fair and they need to be able to explore all legal options available to them. We also believe that people should be provided with end to end support while they are in the country and that nobody should be made destitute. All of this is part of a wider need to ensure that the asylum process is gender sensitive and that it actually works for women.

**10 Contact**

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