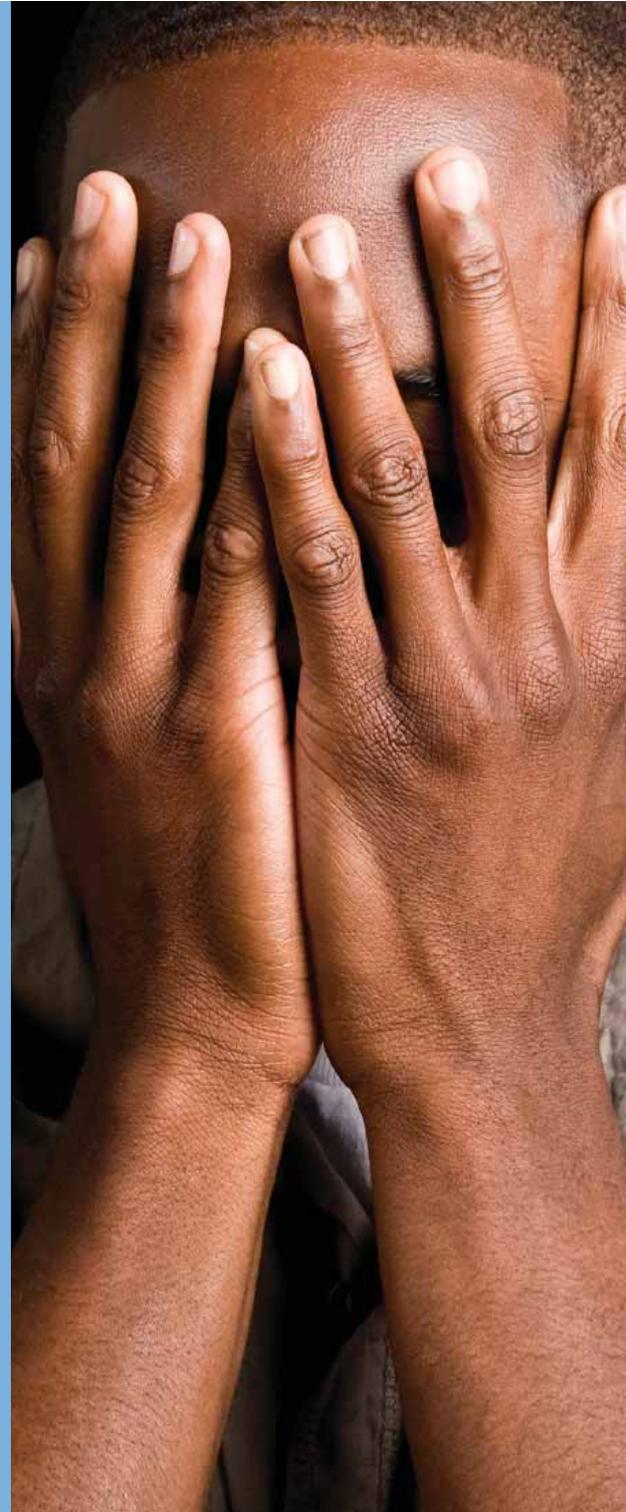


# Out of sight, out of mind: experiences of immigration detention in the UK

**BiD** Bail for  
Immigration  
Detainees



## What is Bail for Immigration Detainees?

Bail for Immigration Detainees (BID) is an independent charity that exists to challenge immigration detention in the UK. Since 1998, BID has worked with asylum seekers and migrants in detention centres and prisons to secure their release. In the past year our three offices have supported 1,774 immigration detainees – most were helped to prepare and present their own bail applications. 381 people gained their freedom as a result of support from BID. Using our casework experience we carry out research and gather evidence to press for an end to arbitrary detention.

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Names have been changed where requested.

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# Contents

2 Foreword

3 Introduction

7 Life in detention

15 The UK as a place of sanctuary

21 Double punishment: ex-offenders in immigration detention

27 Detaining families

33 Health

39 Legal advice

45 Life after detention

49 Recommendations

49 What you can do

# Foreword

Over the last twenty years, migrants and asylum seekers have become the most dehumanised group of people in Britain. Governments of both colours have stripped them of dignity and protection by turning them into faceless statistics rather than people - parents and children with hopes and fears like everyone else.

Bail for Immigration Detainees is a wonderful organisation that has worked tirelessly to help thousands of these most vulnerable people. In this report, detainees are given back their voices. The stories they tell should make uncomfortable reading for politicians, lawyers, human rights campaigners; indeed for everyone who believes in our country as a place of common decency. How can we play with our kids and sleep soundly in our beds when other families are unnecessarily imprisoned and often abused for doing nothing more than seeking a better life?

This report could make a real difference. The recent successful campaign to welcome the Gurkhas to these shores demonstrates that politicians underestimate the basic fairness of their constituents. When statistics become real human beings it is so much harder to denigrate them. Read these pages of moving testimony and then be moved into action.

**Shami Chakrabarti**  
**Director of Liberty**

# Introduction

At the London office of Bail for Immigration Detainees (BID) there is a large whiteboard. On it are written the names of people who have contacted us to say 'please help me', 'I am desperate', 'I don't know what is happening'. They have all been held in immigration detention for over 12 months. Sometimes there are so many names on the board that new ones have to be added in very small writing. A name from Jamaica is squeezed in beside one from Algeria, a name from Iraq between an Indian and an Iranian. Our cabinets full of case files contain the names of the many others who have not yet made it on to the whiteboard – only those unfortunate enough to reach the 12 month anniversary of their detention are added to the list.

**Who are these people? What are their stories? How did they end up on a whiteboard in the office of a small charity? Who even knows they are in detention?**

Nearly 30,000 people every year experience immigration detention in the UK. Often described as 'immigration detainees' they are held in eleven detention centres around the country called 'Immigration Removal Centres' as well as in prisons and police cells. Many have never committed a crime but, unlike people held in the criminal justice system, immigration detainees are locked up without a time limit to their detention and without the right to an automatic bail hearing before the courts. Around 70% of people in immigration detention have come to the UK seeking sanctuary and have claimed asylum. Others have stayed in the UK after their student or visitor visas have expired, or are foreign nationals who have served

a custodial sentence in the UK. They are detained for the administrative convenience of the government which argues that their detention is necessary to maintain an effective immigration system.

Our work at BID means we are some of the lucky few who get to hear their stories. For ten years our staff and volunteers in London, Oxford and Portsmouth have supported immigration detainees to make applications for bail – hundreds every year – and through the course of our work we have the privilege to hear their testimonies. And yet for the most part the experiences of immigration detainees never get to be heard in the public domain. They are confined to legal case files, immigration court rooms and lists in charity offices. Incarcerated behind barbed wire in detention centres that most people have never heard of, immigration detainees have been deliberately placed out of sight and, for the most part, out of mind for the vast majority of the British public.

## What does this report say?

From September 2008 to April 2009 we interviewed people about their experiences of immigration detention in the UK and the transcripts of those interviews make up this report. The transcripts paint a disturbing story of lives damaged by immigration detention in this country. Of trauma, hurt, despair and fear caused not overseas in countries of war or persecution, but in the UK as the result of a deliberate government policy. It is a picture at odds with the description of immigration detainees put out in the popular press and in government rhetoric. If anything the interviews serve as a warning about the use and misuse of labels to define people within a system where rights are curtailed.



Take Helen – as a ‘failed asylum seeker’ from Cameroon, the government says she has no right to stay in the UK and has detained her twice with her baby. But she is also a torture survivor, whose British-born son was conceived as a result of the rape she suffered while imprisoned in her home country. She told us that she accepts the government has difficult choices to make but that she struggles to understand why it would treat her with such inhumanity.

And the government label of ‘dangerous foreign criminal’ is hard to apply to Dilip, a vulnerable young man who came to the UK alone at the age of 14. Having been wrongly told by the authorities that he could not claim asylum, he ran away from a guest house and went on to be arrested for using a false document to work. Is Dilip a foreign criminal from whom the public needs protecting, or a vulnerable child asylum seeker let down by the system?

Or consider David, who has lived in the UK since the late 1960s and has several British-born children. Arrested for a series of driving offences, he was held in immigration detention for more than 30 months before being released. Having spent nearly forty years in the UK he was at a loss to know where he was supposed to be deported to when he saw himself as British.

Dorothy’s experience highlights the hypocrisy of our national outrage about human rights abuses abroad compared to our lack of compassion for people who flee to the UK. Dorothy is from Zimbabwe. Because she used false documents to work for money to feed her British-born son, she was arrested and sent to prison. She told us

*'The Home Office came to my house. It was terrible, because I have never been arrested in all of my life. The immigration officer, when I opened the door he said 'we are arresting you, wait over there'. And I said to him 'you know what, you told me already you are arresting me, I know I committed a crime, but don't keep on saying in front of my son. How do you feel if it's you? I know, I did, I did steal, but I wanted to help myself, there was no one to help me.'*

The government calls Dorothy a foreign criminal. But isn't she also a refugee from the Mugabe regime, the mother of a six year old British-born child?

The interviews also shed light on the impact of immigration detention on British citizens. According to immigration law, only foreign nationals can be held as immigration detainees. However BID has worked with British citizens such as Sabbir Ahmed, who was wrongly detained for two months as a Pakistani national despite having been born in Blackburn, holding a British passport and speaking with a Lancashire accent.

Many more British citizens are directly affected by immigration detention when their husbands, wives or partners are detained. Regina, a British citizen, told us that when her partner of five years, Joseph, was arrested for using a false passport, she was shocked how the language officials used to describe him changed:

*'I know that what he did initially was wrong, and I know that he should be punished for what he did, but I suppose I have an issue with the way that they've done it. I know that they're not going to have compassion for him having a family here. But it's how you're treated as a partner. When he was first arrested, it was like 'Oh, is he your partner? He's an illegal immigrant'. They shout that kind of thing out and it's like they want everyone to know.'*

The appalling truth is that children, including those born in Britain, are also routinely taken from their communities and held in immigration detention for months at a time. **Around 2,000 children every year experience immigration detention, locked up behind barbed wire and living in the presence of guards.** Asked where they are from, these children say: 'London', 'Swansea' or 'Doncaster'. But the government calls them 'illegal immigrants'. This is the experience of some of the families who spoke to us for this report. Families like Jenna's. Three generations of her family were held in immigration detention for over five weeks, including her seven year old sister who wrote this letter to an immigration judge asking to be released

*'I am Sophie, I am 7 years old. I go to school at St Mark's School. I like my school and my teacher and all my friends. I miss them a lot. I miss my house. I don't like this place where I am so afraid. I don't want to stay here. I don't want to go to prison. I am afraid of this people with white shirt they are not nice. I want to return in my house.'*

Frances was detained with her daughter and two sons, aged between seven and eleven years old. She says

*'Really from the bottom of my heart I would just ask the Home Office to look at the plight of the children in detention, you know to just have another proposal to how they could effect removals without the children being locked up. I know that there are rules that children are not supposed to be in detention long-term, but I'm a typical example, my children were in Yarl's Wood for more than seventy days, so these things are there. They might say it's not happening, but these things are happening, and it's really, really traumatising for the children.'*

Some of the people we spoke to had experienced the joy of being released from detention and were living in towns and cities across the UK. Bassam told us how excited he felt when he was released from three and a half years in immigration detention and Dorothy told us about the first meal she cooked when she was released.

According to government figures, 42% of asylum seekers detained in the UK go on to be released, their detention having served no purpose other than wasting human lives and taxpayers' money.

And yet the trauma suffered in detention lingers. As one woman told us

*'I feel ashamed that I've been in detention. Even now when I have to mention it. It reduced me. I will never forget it - it is like a scar on my body.'*

Even for those who are released the experience of detention leaves an indelible mark.

The testimonies in this report are so powerful, and paint such a disturbingly different picture of immigration detention to that presented by the government, that they demand urgent questions be asked about its system of arbitrary incarceration without trial, time limit or automatic judicial oversight. **In May 2008 the government announced its intention to increase its detention capacity by 60%.** This report shows the devastating human impact of the government's detention policy and sends a strong message to government against continuing a system which causes such emotional and physical damage. It also sounds a warning bell to the British public in whose name the government says its detention policy is being carried out.



## How was this report written?

We are aware that at BID our interaction with detainees is focused on legal issues, which means we do not always get to hear about people's experiences in the round. So we started to ask if people were willing to talk to us in a different way. Having supported them to make bail applications we also wanted to talk about what they had experienced and felt in immigration detention. And we wanted to check with them that the issues about which we are lobbying and campaigning still reflect the major difficulties faced by detainees.

Occasionally this presented problems – people had been so used to retelling the times, dates and places needed by lawyers and Home Office officials to process their asylum or immigration case, that it took time to persuade them that we were interested in listening to things which had no direct bearing on their legal case. For others the articulation of feelings and emotions was a difficult thing to do – the times, dates and places had been retold so often that they could almost be recounted by rote. But this was a different kind of retelling and not always an easy one. For some however, once it was clear that we were interested in their views and opinions it was as if a tap had been turned on and their words poured out.

Some of the people with whom we spoke remain in detention, others have been released, one has been granted refugee status and several have been removed from the UK. They were not chosen because collectively they provide a representative picture of immigration detention in the UK. Rather they each have something important and valuable to say in their own right – as do all the other names on our whiteboard and in our filing cabinets. We believe the government has plenty of opportunity and the resources to put its story of immigration detention into the public domain. In contrast our interviews provide a perspective that most people in the UK never get to hear, the words of people who for the most part are deliberately denied a voice.

Our intention has been for the voices of the people with whom we spoke to take centre stage in this report. This is not to deny our role in shaping the questions we asked or our choices about which segments of interviews to include. However the themes of this report stem directly from the issues of importance raised by people in recounting their detention experiences, and the words in this report are theirs.

# Life in detention

Right now there are men, women and children locked up in indefinite detention in the UK. Detained for the administrative convenience of the government, they are held without automatic judicial oversight and without time limit. Because they are detained behind barbed wire, most of the British public knows nothing of their incarceration in the name of immigration control. Each year there are 30,000 individual stories of life inside a UK immigration detention centre. This report contains some of them.

## Taken into detention: 'there was no need to break my door'

For many of the people we spoke to the trauma of being 'arrested' and taken into detention was still very raw. The events of that day – the knock at the door, men in uniform raiding the house, being taken in a caged van to an unknown destination – were still easily recalled. The feelings people described were of being scared, in pain, numb, sick, angry, surprised, frightened, confused, helpless and hysterical.

Jenna, Helen and Frances were taken into detention with their children. They spoke of their shock at what had happened. All were regularly reporting to the Home Office, so why did they need to be locked up? Why now? Why at 6am? Why in such a brutal way?

### JENNA

*The most difficult thing to deal with about detention first of all was because I was surprised to be there. It was a big thing that they came to my house, it was a really difficult thing that they came at 6 o'clock and frightened all the family and treated us like prisoners, like people who have committed a crime. I did not realise what was happening, because they gave me the asylum refusal letter and the removal letter at the same time.*

*I've never been in a detention centre before because I haven't done anything wrong, like killing anybody. I have to report every week, I went to every appointment the Home Office gave me so I haven't committed any crime or broken any rule.*

### HELEN

*There was no need of them to break my door because it's not like they [the Home Office] asked me to come to see them and I didn't come. I told them I am at home, if they want to come they can come or they can send me a letter and tell me when to meet them. For days I was calling that office and no one was available to speak to me. The next thing I knew was they came early in the morning and detained me.*

**FRANCES**

*I showed myself up, I've been there, I've been signing regularly, I've complied with all their conditions, so should my ending honestly be for me to be in a detention centre? The argument the Home Office had against me was that I've refused to leave the country when my cases have failed. How have I refused to leave the country when they knock at your door saying 'we are refusing your fresh claim and we're detaining you'? What chance do they give me to even call the International Organisation for Migration? [organisation that facilitates voluntary departures from the UK] They don't give me a chance.*

*'I was in my nightdress and I told them 'I have to change, the men should go out'. They refused. I was on my period and I had to change in front of these people.'* - Helen

People told us that being taken into detention had physically disconnected them from their established lives in the UK: from their friends, families, support networks and also from their material possessions including important documents and medication.

**THOMAS**

*When this thing happened to me I forget all my belongings, nobody helped me to pack. So all my luggage, everything, everything what I have is vanished. So all gone. I can't even see any single thing. It was a bad day. Everything, all what I have disappeared, tickets, everything.*

**SELINA**

*Yes, I left everything behind when I was detained. I had only the clothes I was wearing. I have not been able to get my things.*

**HELEN**

*The stuff that I had, they [the immigration officers] were the ones that packed it. Because when they came to detain me, they came with their own bags. Obviously, there were lots of things I needed that I didn't have with me in detention. I lost everything. A friend there went to my house to carry some things, but she couldn't carry much of it.*

Jenna described how, following her shock at being 'arrested', she was given no information about what was happening during her journey to the detention centre at Yarl's Wood.

**JENNA**

*It was like five hours journey. They did not stop when we said we need to stop for the toilet. They didn't, they said we can't stop. When we are at the centre we will give you nappies and milk and things like that. Oh my God, I wanted to speak to somebody to know what happened. To speak to a solicitor or even somebody who can explain what happened, because they did not explain anything. They were saying 'we don't have time to talk because we will return you back to your country.'*

For Helen, whose asylum claim was refused, the fear and despair of being taken into detention for a second time was too much - she tried to take her own life in the van on the way to the detention centre.

**HELEN**

*The second time I went into detention, it was the worst. You know, when I used to hear that people had committed suicide, I used to say that nothing would make me take away my life. But when I was detained the second time, inside the van, that was when I realised that when you are in so much pain in your mind, when you are harming yourself you do not feel the pain. When I was inside the van, I knew the suffering was just too much, and I was just bent on ending it all. I cut my arm but I did not even feel the pain. I said I have fought a lot and I can't fight any more. I have to end it now. I didn't even realise that I had slashed my arm. When I knew that blood was coming out from my arm it was when the security people inside the van said 'Helen, what are you doing?' That was when I saw blood coming from my arm. But I did not feel the pain, I didn't feel it. I was just looking at them [the immigration officers], thinking 'if only these people knew what I have gone through. If only they knew the pain that I'm carrying in just my one head. They would not be doing this to me.'*

## Inside detention: 'it's like putting somebody inside a cage'

For most people in the UK the words 'indefinite detention' bring to mind the spectre of Guantanamo Bay or secret prisons in an authoritarian state. Without personal experience of what it feels like to be locked up without time limit we must rely on the words of others to tell us something of that nightmare.

### DAVID

*I didn't know what was going on; all my surroundings felt like a big cage round me, somebody wants to do me some harm. My conditions were getting the better of me.*

### SELINA

*Sometimes it's like somebody's suffocating me, like I can't breathe. Because every time I just look at walls, walls. I want to be able to do things, I want to move, I don't just want to be locked up here without doing anything. It's like they are treating me as if I was a criminal, but I'm a normal human being. I've been here almost three months now. I want to be free.*



### DOROTHY

*To be detained is making my mind sick. The way they are detaining me it's killing me. My mind is dead. There is nothing you can do, because the way they treat you sometimes, sometimes the way the officers treat you, you feel as if you are not anything. You are nothing. The experience has changed my life I'm telling you.*

### HELEN

*I am so scared of being locked up in a room. Since I left prison [in Cameroon where she was tortured because of her political activities] I am so scared of being locked up, because when I am in an enclosed space, I just feel that somebody can come and attack me. I just feel that I will die. I just feel that something will happen to me.*

### THOMAS

*Detention is a bad place that I will never forget in my life. Some people they don't even sleep, some people they don't even eat, some people they don't even do anything. They don't participate, they don't even have a shower, because it is like they have a lump in their body. It's really bad news, it's really bad news. When I was in detention I always looked at myself, 'am I a human being?' Because I don't think that somebody should be treated that way, sometimes I'm asking people 'what is going on in this world? How can somebody keep somebody in detention?' It's like putting somebody inside a cage.*

**AMADOU**

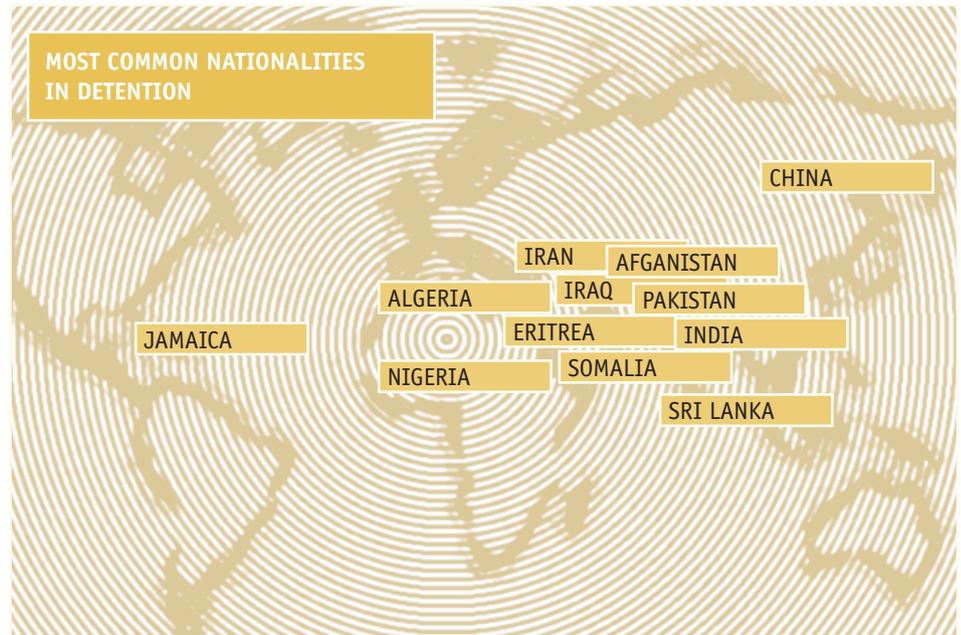
*The difficult thing about being in detention here is not knowing where you are, not knowing where you stand basically. They don't give you much information. You don't really know what's going on. You just worry about what's going on. Everything about this place is hard. I just think the whole process, the whole thing, the way it is, is difficult, do you get me?*

**DILIP**

*It just makes me mentally and physically upset here. They just want to kill me here. I don't know what to do. I don't have any health problems, but when they just keep me in detention centre long, long time I'm just thinking about it, everyone is just thinking about it, you know. That problem just start in the centre, doctor knows everything.*

**LUISA**

*In the night time I can't sleep, and you don't have anyone to go to. You don't have anywhere to go out, and get some fresh air, and maybe have a walk or something, we are just inside. I think that really is depressing.*



### Coping with detention: 'I sang Nights in White Satin and Father and Son'

At any one time there are around 2,000 people held in immigration detention centres - nearly 20% have been in detention for at least six months. People in detention come from all over the world and include people born in the UK. As Frances told us 'when you're in detention it's a multi-culture thing, you have people from all over the world, so it's really difficult to sort of relate, but we did manage to.'

We were told stories of incredible human resilience against all odds. Of the support of other detainees, comfort gained through letters and visits from the outside world, efforts to fill time through activities, and strength gained from spiritual faith. Everyone's coping strategies were unique - for Bassam it was singing Cat Stevens songs that helped to keep his spirits up. He told us 'I sang Nights in White Satin and Father and Son'.

## Fellow detainees

Among the people we interviewed there was a wide variety of responses to being locked up with others from such different backgrounds. Their life experiences, levels of inner resilience, who they were detained with and how they were feeling at a given time all had parts to play in the picture they painted for us. For some, to be locked up with people they did not know was frightening – the behaviour of other detainees could be unpredictable and interactions with them carried the risk of anger or violence.

### THOMAS

*Most of the time I stay alone by myself in detention. I stay alone and I'm just sitting down by myself. Once in a while I tried to mix around with some people, but if I mix around with some people, some guys, anything might happen there. Maybe the way I talk it may be a problem, so that is why I don't really like to mix with people a lot when I was in detention. I try to keep myself peaceful.*

### LUISA

*I keep myself to myself really, I have to say the truth, I keep myself in my room, and then I have to say I'm scared of people. If someone gets annoyed or something, you don't know how they will react. It is scary because we are all from different backgrounds, and some people get violent because everyone is angry. There has been a lot of shouting and arguments and stuff like that. To be with someone in the room, you don't know their behaviour, it can be scary, you have to be careful of what to say.*

Several people said that because everyone in detention was suffering, there was a limit to what people could do to support each other. As Helen puts it 'in detention, you meet people, but the thing is you people can't really talk because you all have got the same problem.' Hafez agreed: 'honestly I can't talk to anyone because everyone has the same situation. I had a friend we talked about everything but we couldn't help each other because we were in the same situation.'

In contrast, others spoke of fellow detainees as a source of comfort, support, knowledge and advice.

### JENNA

*I've got friends there in the detention centre and we tried to help each other by advising somehow, you know. You need to talk to somebody there because you are all in the same situation. Everybody was helping each other.*

### HAFEZ

*I made friends there, I lived there for over one year.*

### LUISA

*It's not easy. We try and talk to each other and consult with each other, because there are mature people there who are suffering. Talking to other people, hearing other experiences, hearing testimonies, that really makes you feel like you are not alone, I think that has really helped me a lot.*

## Outside support

Outside support comes from friends and family who call, write or travel long distances to visit. Visitors groups also support detainees who may otherwise have no one to visit them because their ties to life before detention have been severed by being detained.

### LUISA

*My friends, they check on me all the time, they call me, most of them are in Manchester so it is too far for them to come. But I have another one in London she comes and checks on me. I've realised who my friends are, they just didn't disappear they kept in touch with me and helped me out.*

### FARROKH

*I had the visitors group. I talked to the visitors group about how I was feeling. Thanks to the people caring about asylum or detention or detainees and spending their time for them.*

### BASSAM

*I met my visitor the first time I was sent to Dover. When I was moved we still stayed in contact. She used to call me, maybe send me some money, of course when I was moved even further, she wrote to me and at the end we see her in the bail hearing, when I applied for bail she was my surety. It's always good to have someone. I used to talk with Pierre [at BID] as well, he was a friendly person. I always had to find someone to talk to, to share the ideas, to find a solution to get out.*

## Occupying the mind

Activities to occupy time also play an important role for people trying to cope with their detention. In particular the younger men we spoke to made good use of the gym to try and keep their bodies healthy and to relieve stress. Hafez and Bassam were both held in detention for many, many months. They tried to fill their time by reading or furthering their education.

### HAFEZ

*I love to read, there was a small library, I think I read all the books in Farsi and English. It took one month to read all the books. I studied English, I got a certificate.*

### BASSAM

*I used to go to education because in the past I used to be a teacher, a maths teacher and before I taught French as well in a secondary school. I started in the university a long time ago. I studied science, science of materials, science of structure and matter, maths, physics, chemistry. That's why I like education, so everywhere I go to detention centres I go to education full time.*

## Spiritual faith

Many detainees described how their spiritual faith had provided them with the strength to get through life in detention. As David told us, when he had no one else to talk to he talked to God.

### DAVID

*I'm a Christian, I believe in God, and I will say I put it in God's hands. He has been giving me some strength, because I said to myself, I'm not going to crack up, they are just having their own laugh and I can't go along with that. But now it has been well over two years in detention, how I did it I don't know. I put everything down to prayers and also faith, because if you have got no hope, you haven't got nobody who is going to talk about your case, you haven't got no one then you put your trust in God.*

### FOLA

*I coped with these difficult feelings through a lot of prayer, I just immersed myself in God and prayer, and I just drew my strength from God because there was nothing else. There is great strength in adversity you know with the ladies in detention, and just through prayer, just meditation on God and drawing strength from my faith.*

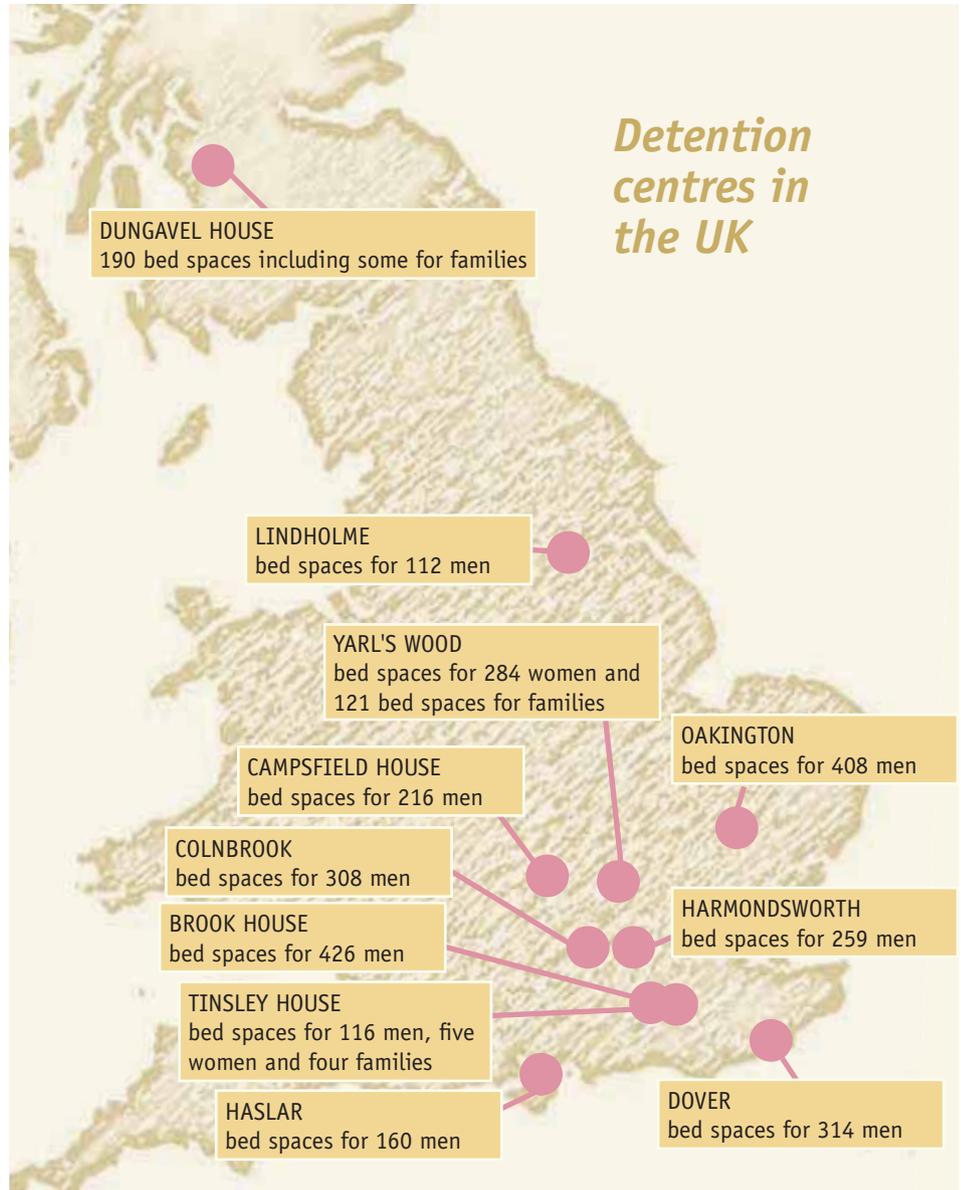
### AMADOU

*I tend to go the mosque everyday, that's how I try to just deal with it.*

**HELEN**

*There was a chapel. I'm telling you, in detention, when it comes to Christianity, it's so sweet, it's so nice because everybody is that passionate, everybody is that committed. You are just looking up to something that will reassure you that things will be okay. So you have this very strong Christian community inside there.*

*'Prayer, it has helped me a lot, I don't know what I would have done without it.'* - Luisa



## Transfers in detention: 'I've been all around'

There are eleven immigration detention centres in the UK and detainees can be moved between them at the whim of the Home Office. People are also held as immigration detainees in prisons at the end of a custodial sentence because there is no room for them in a detention centre. During their time in detention Bassam and Dilip had each been held in several detention centres and Bassam had spent time as an immigration detainee in prison.

### BASSAM

*I stayed six months extra time in prison first, and was moved later to detention. I was asking why am I still in prison, then they took me to Dover. I stayed about one year and then after that I was taken to Oxford, then Lindholme, after that Colnbrook and Harmondsworth near Heathrow, and then back to Dover. Altogether for three and a half years. I've been all around, Dover, Lindholme, everywhere, I've been everywhere. I used to ask my solicitor 'why am I moving around like that for no good reason?' When she write to immigration they reply, they say for operational reasons.*

### DILIP

*I've been in Dover, then Oakington, now they have me in Dungavel. I've been a few months in Dover, after that they send me to Oakington, I don't know exactly but I think about one year I was in Oakington, and I have been here in Dungavel three months now.*

If being taken into detention forms a barrier between you and your old life, so does being moved between detention centres. Having learnt to navigate the system at one centre, made friends, formed a relationship with the chaplain or found a solicitor, transfers mean you are uprooted and have to start again.

### BASSAM

*Where I go I found different rules of the centres. For example some of them lock up at night, like Dover for example. Others they don't lock up at night time like Lindholme, you can move at night inside the corridor to visit your friends or other rooms. In Colnbrook there is internet which is good, the other detention centres there is no internet, and when I was there in Dover we are allowed to have a mobile phone but all the other ones we are not allowed. So in some there are good things, bad things. Some are like prison, some are not very much. In fact in all of them we are locked in, we can't go out, we are deprived of freedom in all of them. But some are a bit better than others. A little bit of freedom in the moving around.*

# The UK as a place of sanctuary

Around 70% of immigration detainees have sought sanctuary in the UK by claiming asylum at some point. The asylum seekers we interviewed had either been detained so that their claims could be decided to an accelerated legal schedule through the 'fast track', or they had been detained after their claims had been refused. At BID we also routinely support people detained as refused asylum seekers when they still have an ongoing asylum claim, contrary to government policy. When we asked people about their journey through the asylum system into detention, they talked of confusion, misinformation, bad advice, fear and shock that they had ended up incarcerated.

## Refused asylum: 'I had never known anyone who had ever claimed asylum'

The Home Office's asylum policies are based on a 'model' asylum seeker. This fictitious character arrives in the UK with their identity documents, declares to the immigration authorities 'I would like to make a claim for asylum under the 1951 Refugee Convention', and hands over a dossier of evidence in support of their claim. Few of the refused asylum seekers we interviewed had claimed asylum in this way. The chaotic situations from which they had fled, the trauma of clandestine escape journeys and the struggle for immediate survival needs on arrival in the UK had all worked against textbook asylum applications. Unfortunately for them it was the Home Office's 'model' asylum seeker against which their claims were judged.

As one woman pointed out when we interviewed her about the fast track, 'For me, if I had a choice, I would not be in this country. But you don't dictate to the people helping you to escape – you get what they give you.' Helen said that 'if you know that you will be safe in your own country you would not go somewhere where they will be rough handling you'. And as Frances told us, when you know nothing about asylum, how are you supposed to know if you are claiming asylum in the right way?

**FRANCES**

*For me, really, I had never known anyone who had ever claimed asylum, so I was sort of like a loner in this situation, so I did not know what you expect. Because when they give you your paperwork, you know when it says you are liable to detention, it does not sink in, you know, to me they were just words, but when it actually happened, it was unexpected. Like I'm saying I didn't know anyone who had done an asylum claim before so no one had told me that this is what happens, suddenly you're going to be detained.*

If, like Frances, you are totally unaware of how the asylum system works or even what it means, accurate advice and information is crucial. For many this advice was missing or the information was incorrect and this contributed to their claims being refused, considered late and opportunistic. Dilip arrived in the UK as a 14 year old unaccompanied child. He was wrongly told by an immigration officer that he couldn't claim asylum because he was a minor.

**DILIP**

*When I came in this country I want to do asylum but I am underage and they said we don't take asylum claim from you now because you are underage. They don't tell you that, they don't say you do asylum. I don't have any interview with the immigration for asylum.*

Dilip later claimed asylum as an adult after he was arrested for working illegally. His claim was refused. He could not afford to pay a lawyer to make an appeal, and he spent over 20 months in immigration detention.

Albertina's house was raided by the police after a malicious tip-off that she was selling passports, an allegation for which she was never charged. Taken to the police station, she was advised by the on-call lawyer to seek asylum despite repeatedly saying she did not want to. Her claim was refused and she has been in immigration detention for four months.

**ALBERTINA**

*They said to me, when I was in the police station they said they can arrange a solicitor for me. And then I spoke to that solicitor in the phone, I didn't even know her, I forgot even the name. I explained everything. She said 'you know now Albertina, because they didn't find that passport they are trying now to send you home because they are feeling shamed by what they did to you. Me I will say to you seek asylum'. I said to that lady, 'no, me I don't want'.*

*Later my [Home Office] caseworker said 'I don't really understand your case, your case is complicated'. Because I explain everything to her, I said that the solicitor in there [the police station] they pushed me to claim asylum, but me I didn't want it. Then my caseworker said 'we want to cancel this asylum seeker', I said 'I don't know, do what you want to do'.*

Janet's lawyer told her not to claim asylum while she was still serving a prison sentence for trying to use a false passport to leave the UK. She had suffered serious domestic violence in Nigeria which left her requiring hospitalisation. Janet took the solicitor at his word and waited to claim asylum until her sentence had ended. Her credibility was later rubbished by the Home Office because she had not claimed asylum earlier and her claim was refused. She was then detained, released and re-detained, spending nearly two years in immigration detention.

**JANET**

*I wanted to seek asylum at the prison but my solicitor even said I shouldn't be concerned on that, I should wait and finish serving my sentence. When he said that I believed him, because every word he said to me he is my solicitor and I believed. So later, the immigration were saying to me that when I was caught I didn't seek asylum. I waited and finished my sentence.*

## HELEN'S STORY: 'I HAVE LOST MY MIND'

Helen came to the UK from Cameroon where she was a political activist. Her father had been killed at a political rally and she was imprisoned by the government for five months. During her incarceration she was raped. She claimed asylum immediately after she arrived in the UK but her claim was refused. Helen has twice been held in immigration detention with her son who was born in the UK as a result of her rape. On release from detention she has been forced to decide between being made destitute or accepting Home Office accommodation in a different part of the country each time. This means all her efforts to build up support networks and to access services keep being cut off, leaving her isolated and struggling to pick up the pieces of her life.

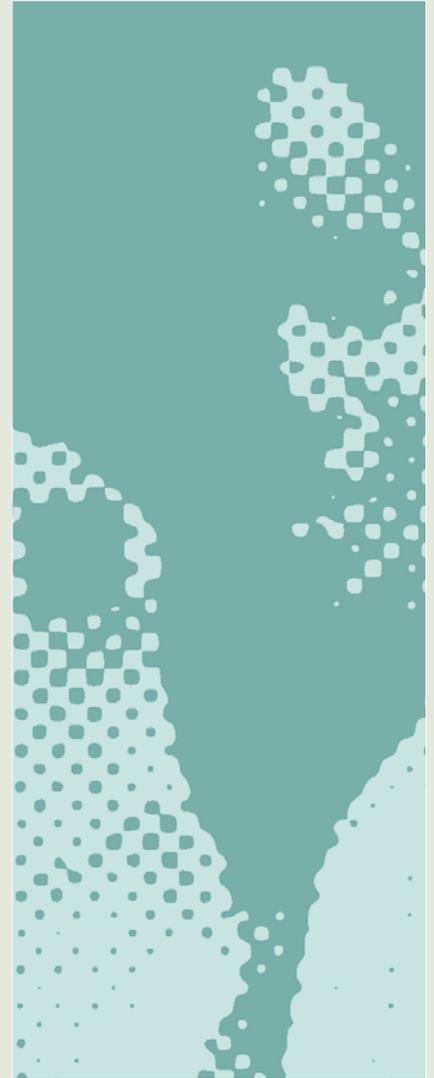
*I was a politician back home and as a result of that I suffered a lot of torture, I went to prison. The prison conditions in Cameroon, they are very, very horrible. The last time that I went to jail I was there for five months. Even when I came to the UK, I did not relent on my efforts, even in this country I have organised a lot of demonstrations against the Cameroonian government.*

*When I came to the UK with the help of a friend things were not that good. But not because anybody was giving me any trouble, it was just my own state of mind. Things were quite difficult for me, probably because I had lost touch with the outside world for a while, and I wasn't quite myself. I was scared of everything. I was scared of light, I was scared of darkness. I was scared of speaking to people. I didn't feel comfortable sitting in the midst of people. So I was always reserved or blocking myself off inside a room.*

*Things became worse when I realised that I was pregnant, because I didn't know that I was pregnant when I came to this country. When I found out I was pregnant, that was the end of everything. Because automatically I knew how the pregnancy had come about and coupled with that was the fact that where I come from, that is unheard of. When you hear an African person use the word an abomination, it means it is something very, very big. Something like that is not something that you sit and talk of. It is very, very bad. People don't sit and talk about rape and they talk even less of you getting pregnant in the course of that. So I could not cope.*

*They kept sending psychiatric nurses and doctors to see me, but the medications that they were putting me on, they were not working, because I had actually lost my mind. I could scream the whole night, because I would be seeing things, I would be having all these nightmares, I would be dreaming, I could not sleep. I was scared of noise, I was so confused.*

*I have lost my mind, I have lost my memory. I go to college, but when I sit in the classroom I realise that I am so daft, I cannot even remember one plus one sometimes. Everything has wiped out from my mind*



## SANCTUARY IN THE UK

between 2002 and 2006, the number of asylum applications to the UK fell by almost three quarters

25,670 people claimed asylum in the UK in 2008

the countries from which the highest number of asylum seekers came to the UK in 2008 were Afghanistan, Zimbabwe, Eritrea, Iran and Iraq

the UK is home to less than 3% of the world's refugees. Africa and Asia between them host two thirds of the world's total refugee population

## Detained fast track: 'a system to refuse people'

It is not only refused asylum seekers who are held in immigration detention. Despite national and international condemnation, the government continues to lock up asylum seekers while their claims are decided to an accelerated legal schedule. This process is called the fast track and the government would like 30% of all asylum claims heard in this way.

From our conversations with people whose claims had been heard through the fast track it was clear that they were little more than bystanders in the process. They should have been the person at the centre of proceedings but the fast track process went on around them, those operating the system seemingly oblivious to and uninterested in detainees' inability to participate.

*'Fast track is a blind game to show the public that the government are doing something quickly.'* – a woman detained at Yarl's Wood

## THE DETAINED FAST TRACK

the government runs the detained fast track in two detention centres in England: Yarl's Wood for women and Harmondsworth for men

cases are heard in just three days and can have ended all appeals within 21 days; cases with no right of appeal in the UK are decided in seven days

the fast track is supposed to be for 'straightforward' cases which are capable of being decided quickly and is not supposed to identify weak or unmeritorious asylum claims

in the first three months of 2009, 29% of all asylum applications decided in the UK were granted refugee status. During the same period only 2% of detainees who had their claim decided at Harmondsworth, and 3% at Yarl's Wood, were recognised as refugees

23% of asylum appeals heard in the UK during 2007 were allowed. During the same period only 4% of appeals heard at Harmondsworth and 5% heard at Yarl's Wood were successful

In Farzad's case at the time of his fast track asylum interview in detention, he was so heavily medicated he could hardly keep his eyes open.

#### FARZAD

*My solicitor, he was a fast track representative. I had nothing to discuss with the solicitor. I didn't really understand the legal process. When I was due to be interviewed regarding my asylum case, I had just come out of hospital and was on a high dosage of medication. I explained to the Home Office that I was not fit to be interviewed at that time, but was told I had to and that my case would be destroyed and I would be deported if I did not attend. I did not feel mentally prepared to be interviewed and contacted my social worker, who said she would attend with me. I was assured by the Home Office not to worry about the interview and told that it was just a minor interview and that I would be given time to expand on it later. When I arrived to be interviewed I showed my medication to everyone, my social worker, the Home Office, my representative and the interpreter. I felt very sleepy and it wasn't a good experience.*

Luisa's asylum claim was deemed capable of being decided quickly and so she was put into the fast track. She had been held as a prostitute in Africa and was brought here by men who expected her to continue working as a prostitute in the UK and from whom she had to flee. Is her case, with complex elements of trafficking, sexual exploitation and gender violence one that is quick to decide? Is it appropriate to lock up someone like Luisa because they have claimed asylum? Luisa was left struggling to understand the legal process and unable to properly access legal advice.

#### LUISA

*My case was closed within a month, everything was done, the appeal everything, it was done in such a short time and it was a nightmare. It was the fast track. One thing leads to another, so really there is no time. I didn't have good access to talk to my lawyer, sit down and discuss and know more since I don't know much about law, I don't know much about it, they tell you things they just go through your head. I didn't have enough time and enough reason. If I knew about the law I could see which parts could help me, because I had no chance to that, and no access to that, I had no other advice. So if I could go to someone else for advice, that would be really good, but I don't have that chance.*

Luisa's view, that she was unable to spend enough time with her lawyer, chimes with what lawyers themselves have told us about trying to provide legal advice to people on the fast track. During research we carried out on the fast track process for men at Harmondsworth, one lawyer told us

*'You are always flying by the seat of your pants. You are working against the clock. Outside the fast track you have time to go away and come back, which is better. You don't have to overload the client with information and then start taking instructions on a potentially traumatic history. In fast track you have to do this all at once. Any longer than three hours [allocated for the meeting], you or the client are not thinking straight. I wouldn't advocate this system. It has huge problems. It would be better to have time to go away and clarify and have time to come back and take further instructions.'*

Access to publicly funded legal advice is only guaranteed at the first stage of the fast track process. When it comes to the appeal stage, cases have to pass a merits test to see if they have a 50% or greater prospect of success. Because of the speed of the process, and the inherent difficulties of collecting evidence and disclosing traumatic information within such a short period of time, many cases fail the test. This leaves people like Albertina having to appeal her own asylum case in court against a Home Office lawyer. In her view the fact that the Home Office processed her travel documents before the hearing was evidence that in the eyes of the system it was a foregone conclusion that her appeal would fail.

## ALBERTINA

*When they was saying to me I am refused, then they gave me papers for appeal. Because at that time I didn't have a solicitor, I was asking for one and right away I said I would stand for myself if I didn't get a solicitor. I didn't hear anything from them [the Home Office]. One day I heard from them, I was sleeping and the officers they come and say to me I have a legal [interview]. When I was upstairs the officer he said to me 'we will take you down to process your travel documents'. I refused. I said 'yesterday night I got the [appeal] documents; I didn't even get to read them, now you are telling me to come and take the fingerprint. How do you know the appeal is not successful? How do you know I didn't get it?'*

Despite her case being rushed through and refused without enough time for her to properly consult her lawyer, Luisa was still in detention four months later, waiting for the Home Office to remove her from the UK. Four months that could have been spent hearing her case properly. Albertina also questioned the Home Office's decision to put her case in the fast track given that she was not physically well enough to be put on a flight out of the UK. Her case was also refused but she too remained in detention four months after the refusal decision.

## ALBERTINA

*Why did they put my case in fast track? For them it's better to put my case not in fast track. Because even in fast track I won't go home like this because I'm not fit enough to travel. If they said now is the time to go home I can't even travel like this.*

Another woman we spoke to during our research on the fast track process at Yarl's Wood was held in detention for eleven months after her case was refused. In her view

*'Fast track is just a system to refuse people. There is no time to listen to you.*

*Even the judge didn't listen. When they put you in fast track there is only a very small chance to get out. I never heard of one person who won a fast track case in one year. How can everyone be lying?'*

## CRITICISMS OF THE DETAINED FAST TRACK

the 2008 findings of the Independent Asylum Commission recommended that the detained fast track 'should be phased out because it is unfair, contrary to the spirit of the Refugee Convention, and can lead to unjust decisions'

a 2008 report by UNHCR found that 'inappropriate cases are being routed to and remaining within the detained fast track' including those involving 'complex claims and vulnerable applicants'

a 2009 National Audit Office report also found that 'some applicants are put into detention when their applications are too complex to be managed through the fast-track process'

# Double punishment: ex-offenders in immigration detention

The government's attitude towards foreign nationals in the criminal justice system has been coloured by the 2006 press furore about prisoners released without being considered for deportation. As a result it has changed the law to allow larger numbers of non-British ex-offenders to be detained at the end of their custodial sentence pending deportation. In December 2008 there were 1,701 ex-offenders held under immigration powers in the UK - 526 continued to be held in prisons after their sentence and 1,175 were held in detention centres. At BID we have supported people in immigration detention who had prepared themselves for release at the end of their prison sentence only to reach that day and be told 'you are now an immigration detainee'.

## Hardened criminals or survival crimes?

Government rhetoric portrays all foreign national ex-offenders as dangerous and hardened criminals from whom the public needs protecting. The reality is not so simple. Twelve of the people we interviewed had served a criminal sentence in the UK. Nine of them had committed an immigration or survival-related document offence and were shocked to have ended up in prison. Like Dorothy from Zimbabwe, convicted of working illegally in order to feed her son and sentenced to 12 months in prison.

### DOROTHY

*I didn't even think that I was going to prison, so it was hard for me to stay in that life.*

### DAVID

*What is my crime for being detained? Is it because of immigration? Immigration, it's not an offence is it?*

### THOMAS

*It's always strange to me to be sincere, because I know in this country no criminal offence is minor, but at the end of the day they mix everyone up together, people who are selling drugs, people who are killing people, people who are doing a minor offence like passport offence, minor things, they mix us all together. It's always irritating me. I say 'what kind of life it is?' People who are selling drugs, people with passport they are putting us all together, me I just use a passport.*

In Thomas' case, convicted of possessing a false passport, his time in prison was so traumatic he tried to hang himself.

#### THOMAS

*Prison is very, very difficult. It is not good. When I was first in prison I had a lot of very, very big problems. I try to hang myself when I was there. It was one of my flatmates who cut me down, so they came to rescue me. In prison I don't sleep, I don't eat, I don't do anything. It was a bad experience, I can't describe it. When I was in prison I don't have anybody that came and visited me. The only people that came to visit me were immigration, that's it.*

Hafez from Iran was arrested trying to use a false passport to leave the UK to seek sanctuary in Canada.

#### HAFEZ

*To go to Canada I had to use false passport, if asylum seekers want to go they have to use false passport or false identification. They realised this passport was fake and they arrested me. In court I was sentenced to 12 months so I had to stay in prison for six months and one month more because they didn't have a place in detention. I was in detention for over a year. Prison was awful, it was awful in prison, you can see people around who are criminals.*

#### JANET'S STORY: ARRESTED TRYING TO LEAVE THE UK

Janet was arrested at check-in at Gatwick Airport trying to leave the UK to return to Nigeria. Instead of boarding a plane to go home, she was sentenced to 12 months in prison for using a false passport to leave the UK. On top of her sentence she spent nearly two years in immigration detention during which time she claimed, and was refused, asylum because of the domestic violence she had suffered in Nigeria. It is three years since she first tried to go home. In the meantime Janet's spirit has been broken. While in Yarl's Wood Janet refused meals for several days, and was assessed as having thoughts of suicide and self-harm. Distressed by flashbacks of her arrest and detention she found it very hard to talk about her experiences in the UK.

*Even when I'm talking to you now I'm even sick, very sick. As for when I was stopped at the airport, let me not go there, because let me just say I'm trying not to remember, I don't want to remember my past, it's like even when I try to remember I'll get upset, like a torture going back to there speaking about it. I don't like going back to remember what happened, what I've gone through because of the circumstances and the truth is I was going home and... [unable to continue]*

*When I was detained, I don't know how to say because I realised I have... when I was taken I had this problem, I don't know, I just don't know, I don't know. They called in a doctor and I went to see the doctor, and later on a doctor from outside came to see me. I don't know who it is, but later I found he is a psychiatric doctor. I can't really remember much. And even now... [cries. She is unable to speak for a couple of minutes]*

*Since then I have been walking from one solicitor to another, but there's no help. With my case I have no merit, I have no ...I don't know, I don't know. As I'm talking to you I'm living in fear, as I'm talking to you I'm living in how will I put it, in ...I just don't know. I am so confused, I am suffering now, what I am going through. I'm so confused...*



Luisa, whose story was described in the chapter on sanctuary in the UK, was arrested for using a false passport.

#### LUISA

*Some guys gave me the offer of coming to Europe, and because I speak English, I don't speak another language, then they thought the UK. I didn't know what they wanted until I got here, and then they wanted me to work as a prostitute. Luckily I had a chance of escaping from them. So then my journey started really. I did a few jobs, I didn't settle down quickly, but I was determined to make my life better and not to suffer, like I have been suffering. In the morning, at 7 o' clock, they searched the house, apparently they came for someone else, but they got me and they asked me for my passport. I told them that the guy who gave me the passport said everything was fine, they told me it is not and then I got arrested. I was arrested for forgery of passport. I had no right to be in the country, that is how I started my journey. First prison then here, detention.*

### Prisons and detention centres

People made comparisons between their time in prison and in immigration detention. For some there was little difference. As Amadou told us 'it's not really different here to prison. You still can't really associate with your family properly. It's the same thing as prison, it's still prison'. Hafez said that in detention 'still you have to be inside, you are not allowed to go out, still you have to be locked down.' For others the indefinite nature of immigration detention made it worse than serving a prison sentence. At least that had an end date but they were at a loss to know when their detention would be over.

#### DOROTHY

*In prison it's much better, you know that you are going, you are left with two weeks, you are left with one. In Yarl's Wood you don't know. And you will just be inside, you can't go out, it's difficult. In prison it's much better, you can walk in the garden. In detention it's hard. The whole day you just sleep, you can't go anywhere. You can't go outside, you can't go to education. The day I came out of detention I did run. For one week my legs, I couldn't move well. Because I wasn't used to using my legs.*

Regina told us about her partner, Joseph, who was held in prison under immigration powers at the end of his sentence.

#### REGINA

*When they're in immigration detention it's like torture because you don't know when the separation will end, because you know, you're in immigration detention and that's it. It's open ended. Anyway, it's worse than the prison sentence. Because your man's not around and you can't get your family life back on track. The separation has impacted on me, and it's impacted on the children. And that's just it really. I don't know when he'll be out.*

### British residents in detention: 'I have been here since thirty nine years'

Due to changes in the law, increasing numbers of people who have been in the UK for long periods are ending up in detention centres. Convicted of certain criminal offences they can have their indefinite leave to remain revoked and be detained while the Home Office tries to deport them. Any offence that attracts a sentence of 12 months or more can trigger a deportation order. This includes non-violent offences such as driving offences, false document offences or petty theft. The detention of long-time British residents, including those married to British citizens and with British children, is resulting in detention centres holding increasing numbers of people like Amadou, who speak with British accents after a lifetime in the UK.

## AMADOU

*When I went to court for my criminal offence, when the judge spoke he said that the police had put in a deportation order. It was the first time that I discovered there was a deportation order against me. I had no idea. No one really explained at the hearing what it was really about, nothing. I didn't know what it was about. I was quite shocked.*

*I was very young when I came to the UK from Sierra Leone. My mum came first then she sent for me to come and I had to come over. She didn't claim asylum, she just came over. It was possible to just come over then. In those days you just got a visa and came over. I went through schooling here. When I was about fifteen or sixteen I got my own leave to remain.*

*I would say England is my home country because I don't know nowhere else! [laughs] I came here when I didn't know nothing else. All I know is England. I don't know Sierra Leone as my country, I don't know it at all, do you get me? Since I been here I never been over there, I don't know nothing about it.*

*My mum, she would tell us about the beach there that she likes, things she used to like, her auntie, you know, how we used to live in some place, she'll tell us bits and pieces like that, where she went and so on. She told us little things. Basically I'm appealing [deportation] because I've been here since I was young. I been to school here and I got my girlfriend here, my mum here and my sister here. I've got nobody back in Sierra Leone. I've got nobody.*

People who had been in UK for a long time told us they felt the situation had changed but they had been unaware of the new rules. David, who came to the UK as a teenager with his parents in the late 1960s, had more recently committed a series of vehicle-related offences. He was shocked when his total period of imprisonment meant he was recommended for deportation and taken into immigration detention. David has several British-born children and is a grandfather.



## DAVID

*When I talk to them I say what's your problem? First of all I have been here since thirty nine years. I've been working here, I've been living here with my family, and by the rules I believe I'm a citizen, and they never stopped me. They never said you come here and go to prison and it's getting too much. They give me a pat on the back and say 'yes, it's alright, make sure you don't come back again', so I thought everything was alright.*

*What torment is going on in their minds when they are doing all sort of things like this? I don't mind if I'm just four years, five years in this country, but I've been here all my life. When I get stopped in the police station they call their immigration officer, they want to get me out for a driving offence. I've never heard of this in my life. It's not that I'm a serious offender or anything like that, trying to do my runnings and I get caught up with the police, where is your driving licence? Where is this? Where is that? It's not to say you're a danger to the public or you have taken somebody's things pretending it's yours, I didn't do that but they are prosecuting me over my dealings.*

*If I had to go back to Nigeria after thirty nine years, like somebody moving home from one home to the other, there would be a lot of changes, the friends you have over there you don't have no more, before you went to Tesco but now you've been going to Sainsbury. You understand? Of course it would have an effect on me.*

## 'Out of proportion with the crime'

We believe there is something deeply unjust about people being punished twice for a crime because of their nationality. To be clear, this is not about circumventing justice. All ex-offenders in immigration detention have served their sentence. If they were British, they would have been released. The people we interviewed accepted they had done something which was against the law but felt their detention, which they believed was an extra punishment, was out of proportion to the crime. For example, Janet, Dilip, Farrokh and Hafez had all spent more time in immigration detention than they had in prison serving their original conviction.

### REGINA

*What I feel is that it is really unfair and that is because it's out of proportion to his crime. Immigration they punish you twice. They say you're locked up and now we're going to deport you, and we're going to take our time to deport you. I don't like to compare offences but this time I do. It wasn't robbery, it wasn't sexual offences, it wasn't drugs, it wasn't violence. And they don't seem to differentiate. If they feel they have to punish him, which I believe they do, he served five months in prison for that. What about alternatives like tagging? In Joseph's case they didn't even consider that. It seems like the whole thing is out of proportion. This is worse than the punishment for the crime.*

Unlike British citizens convicted of the same offence, people of other nationalities are not released and allowed to rebuild and rehabilitate their lives. In the eyes of the government the crime defines them. It becomes the label which trumps all others. It can overturn leave to remain in the UK and even revoke refugee status. In Farrokh's words -

### FARROKH

*I made it so difficult for myself. I could have done better. I could do much better using the opportunities I had, but I didn't. I made one mistake and it turned my life upside down, starting from that mistake my life went in the wrong direction. When I was sentenced I was told 15 months in prison. I thought after the sentence I would be released again. At the end of the sentence I was told I would be detained.*

## 'I want to go home'

One of the main reasons people spend so long in immigration detention is that the Home Office's attempts to deport people are frequently characterised by inefficiency, months of inaction, and incompetence. Instead of releasing people on bail until their paperwork is in order, the Home Office detains them for months, even years, at a cost to the taxpayer of £130 per day for every detainee.

This is a particular problem for nationals of countries whose embassies do not provide identity documents to their citizens overseas. How do you return home without proof of where you came from? Some detainees are desperate to go home to escape their indefinite incarceration, but all they get month after month are Home Office reports saying the paperwork will be in order 'soon'. Attempts to get released on bail are frustrated by this stock Home Office response which bears little relationship to the reality of the redocumentation process.

**HAFEZ**

*Our situation is very complicated no one knows what to do with us [Iranians]. I don't know the future. They said they are trying to get travel documents. They know they couldn't get travel documents. The embassy won't get passport or birth certificate and immigration know this. They kept me in detention, they think they can force me to get a birth certification from my country. They ask for my birth certificate, but I can't get it.*

**DILIP**

*We want to go back to our country but long, long time they just keep us here and I don't know why they want to do it. The Home Office they just send me monthly reports and they tell me we are just waiting for travel document, we get very soon your travel document. Last time I've been in court for bail hearing and then the Home Office say 'we need just need three or four weeks to get travel documents for you, and then we send you very soon after'. They just mention that in the court, and then next month they say again the same thing, 'oh we need three weeks and we get your travel document'. Now it is since one year and I hear nothing.*

### **CHALLENGING INDEFINITE DETENTION THROUGH ANCIENT COMMON LAW**

In January 2008 the Habeas Corpus Project, housed at BID, took the cases of four Algerian men to the High Court using the ancient common law of habeas corpus to challenge their indefinite detention. The men, who had been held at Colnbrook for between 14 and 18 months, all wanted to return to Algeria. As they had no travel documents, the Algerian government would not accept them back. The Home Office had either managed to lose the men's identity documents, not progress their requests for voluntary return, mislay their biometric data or erroneously tell the bail courts that travel documents would be available imminently. The High Court judge found that the detention of all four men was unlawful, and ordered their immediate release.

*'Monthly reports [from the Home Office] are not more than rubbish for fools, every month the same: you'll be deported soon. 'Soon' is going on nearly one year but no action at all.'* – a man supported by BID as an immigration detainee held in prison



# Detaining families

*'What sort of country sends a dozen uniformed officers to haul innocent sleeping children out of their beds; gives them just a few minutes to pack what belongings they can grab; pushes them into stinking caged vans; drives them for hours while refusing them the chance to go to the lavatory so that they wet themselves and locks them up sometimes for weeks or months without the prospect of release and without adequate health services? My country, apparently.'* - BBC Home Affairs Editor, Mark Easton

The shocking truth is that every year around 2,000 children in the UK are treated in this way in the name of immigration control.

In a country where every child is supposed to matter, these children can be locked up indefinitely without a judge having to sanction their detention. As eight year old Dominic put it when he and his mother were detained for 50 days, 'detention is for bad and naughty children. I have never had detention in school before. I have not done anything wrong.'

We spoke to families devastated by the impact of immigration detention on their children. Some had been detained together as a family unit and others had been separated by detention with only an adult family member detained.

## Children in detention: 'it is like a prison'

Who are these children the government keeps locked in detention centres? They are either the children of asylum seekers or migrants and detained with their families, or children the government believes are over 18. They include children who were born in the UK, like Helen's and Margaret's children, and many who know no other home – Dominic has been in this country since he was two years old.

Whatever adults choose to call immigration detention it is clear what children think – 'it is like a prison'. When the Children's Commissioner for England visited Yar's Wood in 2008, a child told him 'just the initial sight of the place, you know you're in a prison with the two big gates. As soon as you see it you know.'

Jenna's family including her infant daughter and seven year old sister were detained for over five weeks.

#### JENNA

*Yarl's Wood was like a prison, it was really like a prison. It was like 'oh my God, we are going to be detained in prison'. There were security guards everywhere, and the children wanted to go outside. For them to stay in the room, lock the door when we enter a room, it was like a prison. And my daughter - she is smaller than my younger sister - even they know and they were asking 'is this a prison?' They were asking like that, because the security guards they were around the building and walking all the time. They asked so many questions without a break, and the children were hungry and after asking them many times, after they had taken all the records, they gave us the drink of water. And they were asking questions of the children 'what's your name?' Things like that.*

### CHILDREN IN IMMIGRATION DETENTION

children detained with their families are held in one of three immigration detention centres: Dungavel House in Lanarkshire, Tinsley House near Gatwick Airport and Yarl's Wood, the largest of the three centres, near Bedford.

children who arrive in the UK without family and are wrongly identified as adults can be held in any one of the eleven detention centres. In 2008 the Refugee Council's Children's Panel worked with 55 age disputed young people in detention, nearly one quarter of whom were found to be children.

the government says children are only detained as a last resort and for the shortest time possible. This is not the experience of the families we work with. In the six months from October 2008 to April 2009 the average period of detention for the families BID supported was over six weeks.

### Impact of detention on children: 'he was all bony when he came out'

All the families we spoke to said the impact of detention on their children had been crushing. Abid was detained with his family at Yarl's Wood for three weeks. He says 'my son was a bright, innocent young boy, but I don't think he will be able to forget the experience. His life has been changed for ever.'

Jenna's younger sister and daughter found it very difficult to adapt to life in detention. Fixed meal times and food options were a particular problem.

#### JENNA

*The security guards there told my younger sister they are going to put her in prison, the family they are going to separate us, and she was so afraid. She did not want to leave the room to go to the education. She did not want to disappear from us. We were sticking together. Even when she was ill and we called for them they didn't do anything. She was really depressed in the centre, she just vomit, she doesn't want to drink or eat, and when we call they come to see her and say it is normal, nothing is wrong. With my daughter, she lost so much weight because of her stomach. I think she lost about three kilos. We can't get the right food. They don't eat that kind of food and we can't give them things that they eat you know. Nobody was eating in the centre. So if they left the lunch or the dinner you couldn't get anything to eat after that.*

Frances, her daughter and her two sons were detained twice, the second time for nearly ten weeks. Frances came to the UK fleeing domestic violence which meant she had to be hospitalised. Her eldest son has been traumatised by his time at Yarl's Wood. He is now receiving psychiatric care because after being in detention he has spoken about wanting to take his own life.

#### FRANCES

*Before my detention basically you know we adapted well, the children were in school, I was doing well, I was getting counselling and I was just getting past the - you know what I went through at home. [Since being at Yarl's Wood] my eldest son is the one who is not really well because he's been telling his teachers, his friends, he just wants to end it all. So that's why the psychiatric nurses have come in now to his school. In detention, he was very worried, very afraid and you know with my son it's a thing of like 'why us mum, why us?' you know 'why is this happening to us?' Because he's never had any of his mates in such a situation, he's never seen it before. So he's feeling isolated. Because he's now at school, the teachers have told me, he's withdrawn, he keeps struggling with schoolwork, whereas before he was a brilliant pupil. But now he's really struggling because he really is behind in his work. In detention, he was not eating at all, he was all bony when we came out, he just used to eat the noodles in the little tuck shop and that's all he used to eat. I mean he's been through so much from all the way home and what is happening, because now he's nearly a teenager so he's not taking well to all what is happening to him.*

Helen and her British-born son have also been in detention twice.

#### HELEN

*The first time we went into detention, my son was a baby, and he didn't really know what was happening. But the second time, he was over a year, and it was telling on him. He wasn't sleeping. It's not only him, all the children in detention, they don't sleep. At 2am, 3am, 4am in the morning they are up running. As their parents don't sleep, they don't sleep. So it really did affect him, because he was a very happy child, but when we left detention this second time he just started withdrawing. Before, he was not the kind of child that was clinging onto me too much, he loved going to other people. But when we left this second time, when I am holding him and somebody comes to take him, you know, he becomes withdrawn and he becomes aggressive. He wasn't eating, he was that thin. I could take him to the dining room to eat, but he didn't want most of the food. So, almost on a daily basis, I had to end up buying him the noodles from the canteen that he would eat. If you go and complain, that's your problem.*

#### EIGHT YEAR OLD SUFFERS POST-TRAUMATIC STRESS DISORDER FROM DETENTION IN UK

Family X from the Democratic Republic of Congo was twice detained in Yarl's Wood during 2006 with their one year old baby (who was born in the UK) and eight year old child. As a result of her experiences during the family's arrest and detention, the eight year old child has been diagnosed with post-traumatic stress disorder. During her detention the Home Office was warned of the child's deteriorating mental health by Bedfordshire Social Services and an expert psychologist but continued to detain the family anyway. According to Home Office procedures, when the family was detained for longer than 28 days the decision to extend their detention was made personally by the Immigration Minister. In February 2009 the family was awarded £150,000 compensation after the Home Office admitted their detention had been unlawful. The family has since been granted asylum.

Margaret was detained with her son and daughter.

#### MARGARET

*How would you feel if it's your child asking you when they will be free again to have freedom to play whenever they want, to see their friends again, to do things like little children not worried of being shouted at by the guards, not to be counted like animals all the time, to eat whatever they want to eat at any time? The food was horrible and sometimes it was half cooked. The centre used to provide food and powdered milk but of different type every day. When today you feed the child on Cow and Gate the next day it will be finished and you feed them on Gold and this made the kids to become sick most of the time. These officials move with bunches of keys which make a lot of noise in the middle of the night and children can't sleep when doors keep on being locked and opened all the time.*

*'When my daughter turned three I was in detention, Christmas I was in detention, my birthday I was in detention, New Year's Day I was in detention.'* - Fola

### Families separated by detention: 'the kids were hysterical that he was inside'

Immigration detention affects even more children than those who are actually detained. Government policy allows for families to be separated by detention, for example by detaining only one parent. In some cases this leads to children being taken into the care of social services, a threat made to Fola and her infant daughter. Families are often separated by detention when a parent serves a custodial sentence after which they are taken straight into immigration detention while the government decides whether to deport them. Dorothy, arrested for working illegally to feed her son, and Fola, arrested for using a false passport, were both separated from their children in this way.

#### DOROTHY

*It was almost five months in Yarl's Wood. I just saw my son the one time. Because for me it was hard. If I look at him I will cry. It's much better that way because I didn't feel pain. Because he was asking me 'why can't you come home? You don't come. Mummy let's go home'. When he came to visit he said 'Mummy can I sleep here with you?' So I didn't like it, because he is very intelligent, he kept asking me. If I look at him I try to control myself, not to cry in front of him, so when he left I was crying and saying 'God help me'. It was very hard. You are being detained, it is very hard.*

#### FOLA

*My daughter was with my mum when I was detained. They tried to take my daughter off me but I didn't divulge her whereabouts. Even in prison they asked me for my daughter's whereabouts, which I didn't give because I had seen women have their children taken off them and go into care. So I was going to Yarl's Wood having in the back of my mind that my daughter could actually be taken off me at some point. And because of that it took a very long time to allow my daughter to come and see me in Yarl's Wood. Because there was the threat of her being taken, at one point we couldn't even take my daughter to the doctor because my mum was so scared that she would take her to the hospital and immigration would be waiting at the hospital. It was incredibly difficult I can assure you.*

British children are also affected. Regina and her children, who are all British nationals, were separated from Regina's partner, Joseph, after he finished his prison sentence but was not released. She feels that their rights as British citizens and as a family are completely ignored in the government's decisions about Joseph's future.

**REGINA**

*Obviously it's been very difficult. I have two children though he's not their natural father, but there's no doubt that he's a father to them. The kids were hysterical that he was inside and there's just me. My kids are thirteen and fourteen and they're very sensible. Not that they say too much but what they do is help me around the house more, and try not to upset me. But my eldest is fourteen and she talks to me about him. They've always maintained correspondence with him and they write to him a lot. My eldest, for her she wants to tell him to come home. She said as far as she was concerned she had her father, she felt she was able to get on with him, talk things over with him. Because she's a little bit older, the things she worries about he gives her chats. So she's worried about that because he's just gone.*

*I don't think it's fair at all. I'm a British person but I can't do anything about him being deported. It's changed my life completely. Immigration don't see his family life, they don't want to. When he went for a bail hearing the second time they were saying he had no family ties. The Home Office said 'what about the children, they're not yours anyway'. They are his children - they take him as their father. But it just goes to show how the whole thing works. It's 'well you're an immigrant, you don't belong here, you've got no right to be here, we don't care what you say'. The fact that he has a partner is not considered properly, it doesn't count. He's not British so he doesn't have a right to be here, and it doesn't matter that his partner is British.*

Amadou and David are both family men, fathers to British-born children.

**AMADOU**

*I've got three kids. Two of them are her kids and the other child is with me. The oldest one he understands what's happening to me. The one that doesn't really know where I am is still only four. He's not really aware of what's going on. The next one he understands a little bit but not too much. He knows that I'm not at home and I'm somewhere away where he can't see me. I don't know what I would do if I had to leave the UK, leave my kids. Phew, I can't cope, I can't even think about it, I don't want to think about it.*

**DAVID**

*I have children here. I'm a granddad. It would be wrong of them to take me back to Nigeria. It's got to be the UK as home for me; I've got no choice. Because all my children are here, my baby mothers are here and my wife is here. I haven't got anyone there. I'm being dragged away from the country that I love and where I have been living for thirty nine years.*

**Impact on family life: 'he could not do anything for his family'**

For some parents the stress of detention is such that it affects their ability to look after their children. Helen explained,

**HELEN**

*Because the way I was feeling, the pent-up I had in me, I don't know how I can explain it, it was affecting him. Because each time I start crying, he would start crying. If I cry for two hours, he would be crying for those two hours, until the guards would come to my room and say, you can't be doing this, look at your son. But then, the way I was feeling, I wasn't seeing him by my side at that time.*

The disruption to family life caused by detention also forces traditional family roles to change. Children have to take on parenting responsibilities and grandparents step in to parent their grandchildren. Jenna, detained with three generations of her family, saw her father's inability to look after his family in detention affect his mental wellbeing.

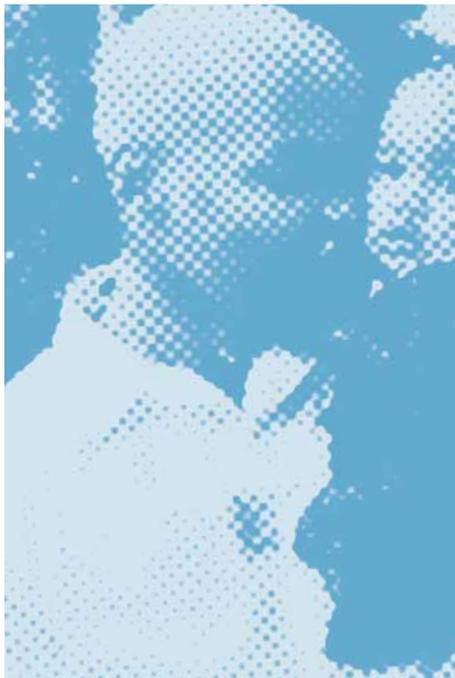
**JENNA**

*You know my dad, when we were in our country he was frightened with all the problems we've got there. So it was like kind of mental problem... But when we arrived in the detention centre he was a father and he could not do anything for his children. We were being kept in a prison, and he was really, really bad. He would talk and it was like he was becoming mad. We were afraid, something had happened to him.*

During Fola's detention her mother came from Nigeria to become 'mummy grandma' to Fola's daughter.

#### FOLA

*At that time my daughter was only two, so it got to a point where she actually saw my mum as both her grandmother and a mother, and eventually she started calling my mother 'mummy grandma'. So she was almost two in one, a mother and a grandmother, you know. And every time she came to see me in Yarl's Wood she couldn't understand why she had come to see her mother somewhere with her grandma or she couldn't go with her mum or her mum couldn't go with her.*



From detention, Amadou worried that he was not able to make sure his children were behaving at school.

#### AMADOU

*They've kept me from my kids at an age where if I'm not around when they go to school they don't behave. They're calling out for me yesterday. So they basically are not only making my life a misery but they're making my kids not able to concentrate for school, do you know what I'm saying? They've got me but they're destroying a few other lives.*

Waiting for Joseph to be released, Regina's stress was apparent to her 14 year old daughter despite Regina trying to put on her 'happy face'.

#### REGINA

*I'm a mother with children, so I have to have the 'happy face', because I don't want to worry them and I have to reassure them, that it's not too bad in there and that he'll be out soon. The reality is that inside I know that that's not true; I know that he's not coming out soon. My hair has fallen out through the stress of this. My eldest she wrote to him soon after his arrest saying 'I wish you could come out and put Mum out of her misery.' And I didn't think I was showing anything, but she can tell, she knows.*

Dorothy found that even on release detention continued to affect her son's relationship with her.

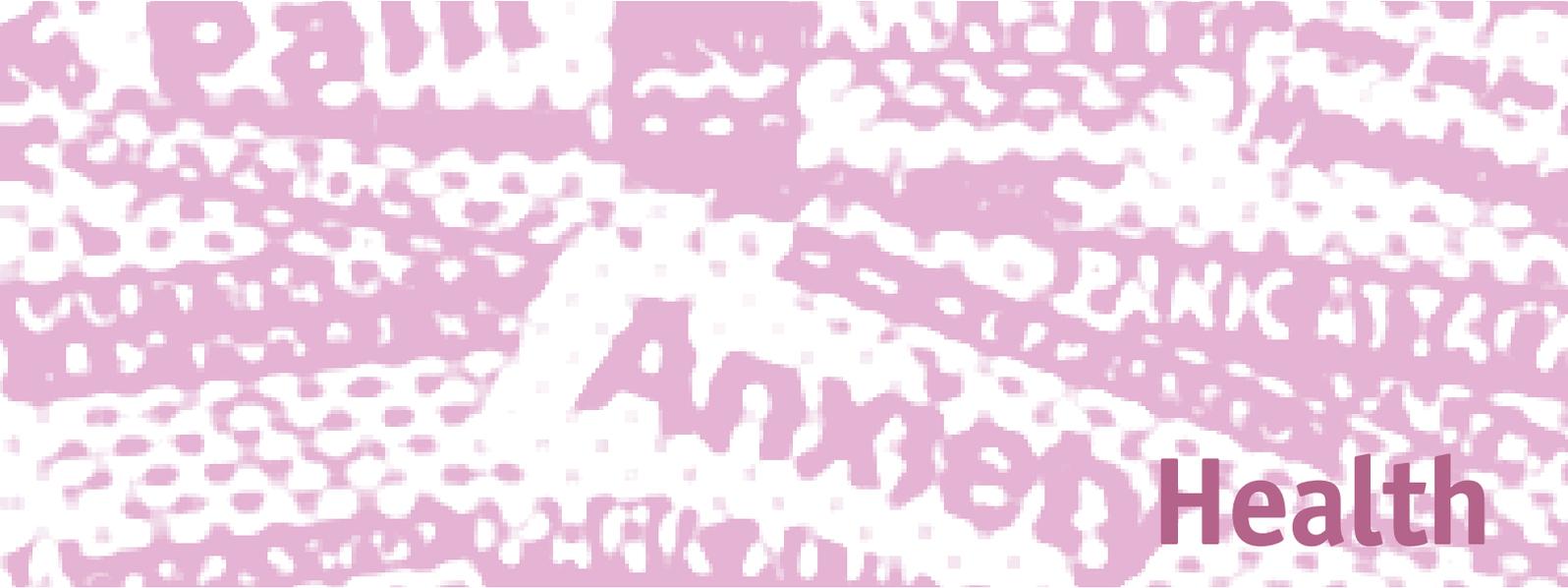
#### DOROTHY

*It was very hard to see my son again when I was released. Sometimes I just look at him. Sometimes he asks 'Mummy, where have you been? You weren't in the house. Why didn't you come back?' Sometimes he asks me so many questions.*

### OUTCRY! END IMMIGRATION DETENTION OF CHILDREN

Since 2001 BID has supported over 200 families affected by detention to make applications for bail, resulting in release for many. In partnership with The Children's Society we are campaigning under the banner OutCry! to end immigration detention of children and their families [www.outcrycampaign.org.uk](http://www.outcrycampaign.org.uk)

Other critics of the government's policy to detain children include the UN Committee on the Rights of the Child, the Children's Commissioner for England, the UK Parliamentary Joint Committee on Human Rights, Her Majesty's Chief Inspector of Prisons and the Council of Europe's Commissioner for Human Rights.



# Health

The impact of immigration detention on body and mind was a prevailing theme in our interviews. Adults and children are routinely taken into immigration detention with serious, long-term mental and physical health conditions. Some of the people we spoke to were so unwell that according to Home Office policy they should never have been detained. We also spoke to people who suffered health crises in detention and should have been released. Like David, who suffered a stroke but was not even taken to hospital.

When we asked people about their experiences of health care in detention we kept being told two things: 'they stopped my medication' and 'they give you paracetamol for everything'. For Frances, being taken into detention left her without her HIV medication for several weeks, exacerbating her condition and compromising her treatment on release.

## ACCESS TO HEALTH CARE IN IMMIGRATION DETENTION

Health care in detention centres is not provided by the National Health Service in the same way as it is to the general public or to people held in prisons. The Home Office outsources health care, mostly to private companies who are supposed to provide services equivalent to those in the NHS. The experiences we heard from people who rely on this service as their only source of health care demonstrate the wide gap that exists between Home Office policy and practice in detention centres.

*'I don't want to be ill in this place. You are not allowed to call an ambulance. There are people collapsing, fainting in detention, and that is horrible to see. The nurses take a long time to come, I don't know what to do if someone has fainted.'* - Luisa

## Unfit to detain: 'they know I am struggling'

With her disabilities, caused by arthritis and a stroke, Albertina struggled to get around Yarl's Wood when she was detained. At times she was unable to walk to the dining room to eat or to get to the health centre for her medication. As she explains, her room mate, whom she had never met before they were put in the same room together, had to help her to use the toilet and to wash.

### ALBERTINA

*The other detainees they are very sorry for me, they sympathise with me. They know I am struggling, especially my roommate, she has been the one to do everything for me. In night time if my leg is really painful she is the one to take me to the toilet, or if I want to take a shower she is the one helping me. The other inmates, they just come in the room. They are bothering me a lot [in a positive way]. They say 'why do these people not release you, you are sick?'*

David suffered a stroke in detention which went untreated until he was moved to another detention centre.

The medical conditions of the people we spoke to included: stroke, HIV +, tuberculosis, hepatitis, gallstones, sciatica, stomach ulcers, arthritis, diabetes, hypertension, asthma, psychiatric problems, depression and suicidal ideation.

### DAVID

*I had all these medical problems when I went into detention. Before I had a stroke I was complaining that I'm having dizzy spells and whatever, and my talking is slurred, my walking you can see is not like it should be. They should have made an appointment for me to go to the hospital to see what it is, but they never done that. It was later, later when they brought me to [another detention centre] that they sent me to hospital, telling me you had a slight stroke but right now it is healing itself. It was only in there that I started to have proper medication and attention from health care.*

During his second year in detention, the Home Office tried to remove David to Nigeria and sent escorts from a private contractor to take him to the airport. David was not put on the flight because the escorts realised from the medication he was taking that David was unfit to fly.

### DAVID

*I said to them, 'you can detect there are problems with me in the few minutes we have been together! What about the immigration who look at me for two years, and they don't know I have a serious medical condition before they take me anyway?' The escort said to me 'we're sorry Mr David we have seen your records, and the way you are feeling, we can't take you anywhere'. I said 'alright, thanks'.*

*'They say to me I am not sick, I am faking, that I am faking my sick.'*

– Albertina

## Healthcare in detention: 'they stopped my medication'

Having escaped from political imprisonment in Cameroon, Helen was living in northern England trying to rebuild her life. She was taking medication for a range of health conditions and her son was part-way through a vaccination cycle to prevent him contracting hepatitis. Both treatments stopped when Helen and her son were detained.

## HELEN

*They stopped my medication, because I had been on sleeping tablets and anti-depressants for a very long time. I have hepatitis and problems with my liver, and was receiving treatment before I was in detention, but when I went into detention everything was stopped, I didn't receive anything. I wasn't getting any of that.*

*After a while the health centre put me on another medication. But what they did was they went and gave me Kalms. This is a pill that you get over the counter. But with a situation like mine, Kalms will not make you sleep. I didn't know anything about it, I just took it and it wasn't working. Only when I was released, then a GP was asking me 'who gave you this medication?' I said they gave it me in detention, he said 'I can't believe this.'*

*My baby was still supposed to take his last dose of the hepatitis vaccine, to prevent him from catching the virus from me. So one of the staff nurses there told me that because I don't have status in this country I have to pay for that vaccine. I said but, you can't have to pay for a vaccine for a child, they gave him the first and the second dose before I was detained, I didn't pay for it. They said, well you don't have status so you have to pay for it. I had to get Medical Justice involved, and that is how he got the vaccine.*

Frances, who is HIV positive, has twice been detained with her children for a total of three months. When the family was first detained the immigration officers did not pick up the correct HIV medication and Frances was left without her anti-retroviral drugs for several weeks. The paediatric appointments Frances had made for the children to be tested for HIV were cancelled and they were tested in detention with no support or counselling. When Frances contracted tuberculosis, instead of being released the family was kept in an isolation room - the children were only allowed out of the room for thirty minutes a day.



*'Sometimes medication it is taken away from you when you come to detention and you have to travel to health care to take it. So, if you have to have the medicine like twice or three times a day that means you have to pass through ten or more doors per day being escorted by an officer and also searched all those times.'* - Margaret

## FRANCES

*What happened, they took my drugs, but they took the wrong drugs. So they wrote to my doctor to get a prescription, but nothing came for me. So the weeks that I was detained I was without my medication. Actually right now I've had some resistance tests done [to her anti-retroviral drugs for HIV] because I stopped, when I came out I continued on the same drugs but they are resisting now, I've started a whole new course of drugs again. It was a shock, because they know I am on this medication. I didn't think they would do this.*

*Before we had got detained I had made appointments for the children to go to their paediatrician to do some testing for HIV. When we got detained, they had to do that whilst we were in detention. We didn't even get any counselling for that, the children just went for the testing. You know, under that circumstance, here in detention and your children are going for this test, it was really horrendous, there was no support from anyone. The first blood test they did, they lost the samples of my children's blood. So they had to re-do it after about three weeks. The waiting was a very painful thing for the children you know.*

*In my second detention there was a period when me and my children were put in isolation, we were in health care locked in one room. My three children were not seeing out, they were just taken out for thirty minutes a day. This is because I was being quarantined for TB, but it was horrible. We only saw the people who came to bring us food. We couldn't wash, we couldn't do our laundry, it was terrible.*

## 'Paracetamol for everything'

It was a phrase told to us again and again. Here Fola, Albertina and Dorothy describe their view that in detention the only health care on offer is painkillers. In Jenna's case she was denied even paracetamol.

### FOLA

*The difficulty with the health care in Yarl's Wood is getting a doctor to attend to your concerns, because most times you complain about something you're only given paracetamol anyway. So it does leave a lot to be desired really. My concern is that there was absolutely zero health care in Yarl's Wood, absolute zero. It is very dire the health thing in Yarl's Wood. Everything you complain about you just get paracetamol.*

### ALBERTINA

*Co-codamol is not a real medication; it is just to relieve the pain only. Where is my real, real treatment? Because here there is no treatment, only this co-codamol.*

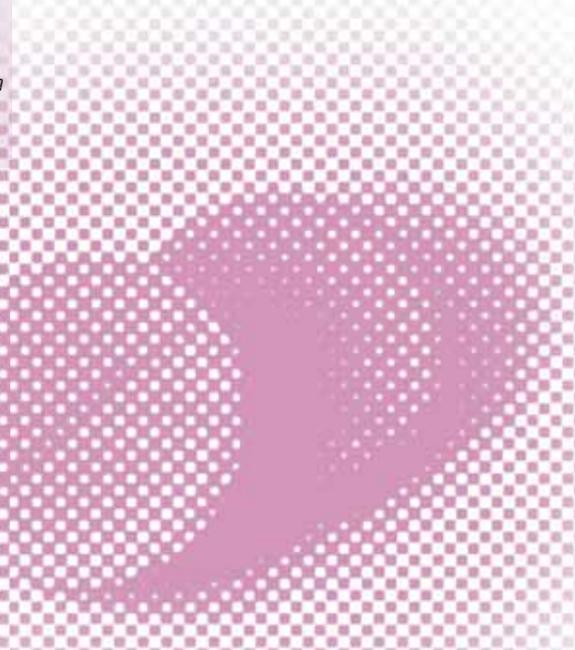
### DOROTHY

*When I went to healthcare I had a problem with my leg. I said to them 'I'm feeling pain, its paining me'. They said to me 'no'. They said 'if you have a pain you can go to the office for paracetamol'. So from that time I didn't even go to them. For other people, they'll go and they'll be shouting, me I didn't like that thing. I won't go. So many people they cry, they complain, but I didn't like to do that. I just went to my room. Yes, they give you paracetamol for everything, that's the problem there.*

### JENNA

*When I bring the children to the health care they are saying it is normal. Even though my daughter she is not eating for one month, she is sick, sick, she was crying, they didn't give me anything. They said it was normal. How could that be normal? We were not given any medication in Yarl's Wood. Even when my daughter got a fever they didn't even give her paracetamol. They just said to drink water.*

*'I developed really bad tummy ache in detention and my roommate had to call the nurse. She came four hours later on and she said 'oh stop drinking coffee and you'll be fine' and gave me some paracetamol tablets.'* - Fola, later diagnosed with gallstones



## Health impact of detention: 'the stress was in my body'

*'The longer I live here, I have seen so many people in this detention. When they first came they are well, you think that when they eat some little bit of chicken, a little bit of soup, they will be sustained, and they start looking well. But instead of these people looking healthy, now they are looking the worse for wear.'* - David

Some people powerfully described how being kept locked up with no end in sight to their detention was having a deeply detrimental effect on their mind and in turn this was making them physically unwell.

### THOMAS

*When I got arrested that stress was in my body or something, so I'm not so strong really like to remember my things, or to think 'eh, maybe someone could help me'. Because of the stress I forget everything.*

Without access to her antidepressants and sleeping medication, the pressure of Helen's situation left her feeling desperate.

### HELEN

*I could die, this last time that I was in detention, I could have died. Because it was as if the whole world was collapsing on my head. I used to sit in the night, that place was cold but I would be sweating, it would be dripping on my leg, my whole body would be wet. I remember there was this time at two in the morning, I was sweating, I had all this pressure in me, I said 'oh my God I wish I could die now.' I was even scared of my own room. I ran out of the room and I went down to their office. And the officer asked me 'what is it?' I said 'oh, if only you could understand.' So you know, this life is so unfair. Some people, you know, you get it tough.*

Dilip tried to fill time by using the detention centre gym. But the pressure of his situation meant that he felt unable to do anything but sit in his room and think.

### DILIP

*Here I have gym, it is nice, everything is here, but when you are feeling not good how do you go to the gym and how do you talk and how do you watch the telly? You want to be always on your bed and just thinking about your future and thinking about your freedom. Here you know, we don't eat properly because I am vegetarian and in South Asia vegetarians don't eat fish and egg. I get everyday sandwich, sandwich. I get sandwich every day so you know I don't have enough power for gym. I just stand in the gym. So no more gym and I just stay in my bedroom, sit in my room and think about it, what's happening, what's going on.*

Albertina's physical disabilities kept her from accessing facilities in the detention centre to try and occupy her mind. Her world was limited to the four walls of her room.

### ALBERTINA

*This place is the place for people who are not sick. People here who are not sick can go to the gym, watch the telly, to keep their minds busy. For me it is hard because all the time I am here in the room. It's my life I will live here, sometimes it's very hard. Sometimes I cry, I say 'God!', but he knows exactly, the way I'm in pain. If I had killed somebody I know I will deserve it, but now I know I'm here because the Home Office is believing people who are lying.*

Hafez, detained for over a year, described the stress of his monthly conversations with immigration officers asking for documents he could not produce, and threatening him with a criminal conviction if he did not.

**HAFEZ**

*Mental problems give a lot of pressure, immigration pressure. Every month they asked me to cooperate. They threaten if I don't cooperate they will send me to prison for two years and always they ask me to cooperate. As time went on I got used to it, because every month I got pressure on my mind, every month it was like torture, because they knew I can't get it. I didn't have my birth certificate, but still they put the pressure on me every month, every month. But it was huge pressure, you have never been in this situation.*

Regina, was also worried about the impact on her partner Joseph of having so much time to sit and think as an immigration detainee in prison.

**REGINA**

*My fiancé being there in prison is not helping his mental state, he's regressed backwards. So sometimes he just goes on about it, and I have to just let him rant, but sometimes I worry. What else has he got to do there except think?*

Selina was adamant that the problems and pressures she felt in detention did not mean we should think she was going 'mad'.

**SELINA**

*Sometimes I'm not even talking. Sometimes they say I should go to the health care, but I don't have any mental problems. I'm not mad, I'm not mad, I don't have any mental problems. The fact that I've got problems doesn't mean I'm mental.*

# Legal advice

For people with an asylum or immigration case, high quality legal advice can mean the difference between getting legal status and being forcibly removed from the UK. In order to access a lawyer the majority of people with an asylum or immigration case rely on legal aid. But despite its overwhelming importance, the story of legal aid in the immigration system is one of cuts and restrictions: limits on the amount of time spent on a case, performance indicators, fixed fees, exclusive contracts and the merits test act as barriers to free advice. As a result, accessible, high quality legal advice remains out of reach for the majority of detainees who desperately need help to challenge their detention. This leaves UK detention centres full of people relying on a handful of committed lawyers, turning to overstretched charities, representing themselves, or scraping together money to pay private lawyers.

## Multiple lawyers

What did the people we interviewed tell us about their experiences of trying to access legal advice in detention? It was rare for people to say they had only had one lawyer throughout their case and many had relied on a mix of legal aid and private lawyers. Finding, and keeping, a lawyer was described as chaotic and confusing - a particular problem for the significant proportion of detainees who speak little, or no, English or who are illiterate.

People spoke about being dropped by lawyers at short notice before a court date or feeling compelled to leave lawyers who had done no work on their case. Others were forced to change lawyers when they were taken into detention or because the Home Office had ordered a transfer to a detention centre in a different geographic location.

### JANET

*My first solicitor was when I was in Yarl's Wood I think they were putting in the asylum claim. After I was in detention about a year I was transferred to Dungavel in Scotland. Then they moved me back to Yarl's Wood. While I was in Dungavel I had another solicitor, I can't even remember their name. My first solicitor was saying, 'we can't be in London and still be doing your case', something like that, that I'm kind of far away. But when they brought me back to Yarl's Wood, the one in Scotland said they can't help me there. I went for the appeal myself, I didn't even know what to say.*

### DILIP

*I got a legal aid representative in Dover, but when immigration send me to Oakington my solicitor he called me and said they are moving you to Oakington and it's not my area so I don't do any more your case. After, he said, I am no more your solicitor.*

**ALBERTINA**

*Before I didn't have a solicitor, then it was the Immigration Advisory Service, then my cousin hired a solicitor. After the last day my cousin she did not pay the solicitor, so then the solicitor dropped my case. So then I didn't have a solicitor, and now they are planning to get me another solicitor, Refugee Legal Centre, something like that, to ask if they want to deal with my case.*

Ex-offenders in immigration detention also have to find different types of lawyer for the different parts of their case, adding an additional layer of complexity to their struggle to access legal advice.

**DOROTHY**

*I had one solicitor for prison, then another for my asylum.*

**THOMAS**

*When I was in the prison I don't have a lawyer that can do my [immigration] things. The only person that stand for me when I was in prison was my [criminal] lawyer. After the judge sentenced me she said she had to withdraw because they gave her to me just to defend me in court and she has already finished that job.*

**Legal aid: 'it's not a very good way to deal with a client'**

Detainees' views of legal aid lawyers were very mixed. Some detainees, like Bassam, were pleased with their legal aid lawyer. But we also heard many indirect references to the financial constraints around legal aid work which left people feeling disillusioned with their lawyer and the service they had provided. People reported having been told 'you have spent all your legal aid', 'they closed my file', 'my case was 50/50', 'they said my case would not succeed'.

Having tried repeatedly to access a legal aid lawyer, Hafez's view was that publicly funded advice existed in name only.

**HAFEZ**

*We haven't got a right to get a solicitor. I asked 10 – 15 solicitors and they said your legal aid is finished. They said you spent all the legal aid in your account.*

In Thomas' view the fact that legal aid lawyers are paid by the government makes their motives and actions suspect. It was not clear to him how legal aid lawyers could work for him while being paid by the government that was detaining him.

**THOMAS**

*These legal aid, they don't like really working hard. The legal aid, the government are paying them, they don't really work hard. One in a hundred is working hard, but not all of them. Some people also they think some legal aid, maybe they are working for government. People are getting scared.*

*This legal aid work at the end of the day they are closing your file so it's not really helping a lot. Because some legal aid they are saying some things which they are not supposed to say to detention people, things that make their life frustrating. When people stay in their room for three days and just feel like killing themselves, some legal aid might come in like this and say to them 'it's better for you to go back to your country'. Some nasty words. That is why some people they don't like using the legal aid for what they are saying to them.*

David told us how let down he felt when his lawyer of two years said he would no longer represent him. In David's opinion they had formed a close working relationship and he could not understand why the lawyer was now washing his hands of his case.

*'The lawyer that I had the first time when I went to detention they were not good. I have never even met him. So I got another solicitor and they are that good. They are very, very good. They put in a fresh claim. What happened, they dug right deep into my case, and started doing their own research.'* – Helen

**DAVID**

*The solicitor I had was legal aid. I wasn't pleased with what he did for me, when you take it in conjunction with the immigration itself, he's only just making money from me. He waited, as much as he can get, and when he can go no further he doesn't want anything to do with me again. He was telling me that I've got a case but my case has got to succeed. He made me believe that I've got a good case. But at the end, when the immigration say they don't think my case is going to succeed, he just back off. At least, it's not a very good way to deal with a client you've known for two years and I've been in his book for two good years.*

Bassam had a high opinion of his legal aid lawyer. He believed she had tried hard for him, navigating the legal aid system by applying for permission for more time to work on his case. She had even managed to secure a good barrister to represent him in court.

**BASSAM**

*My solicitor was legal aid, and she used to apply of course, every time she has to apply for legal aid and they accept. I was happy with the work she did for me because she tried her best, only the immigration people have a hard head. After these three years she got a famous barrister, and I met her once. She told me she wrote a book about immigration. That's why at the end we had two days in court with her, and she spoke very well during the two days.*

In contrast Regina's experience of finding legal aid for her partner, Joseph, was of feeling exploited and used. She spoke to us about staying up all night to fill out Joseph's application and her suspicions that the lawyer then used her work to get his legal aid money from the government.

**REGINA**

*I was looking around for a solicitor and found one. I went back to him a few days later because he was making an application and at that point the solicitor said 'you know your partner, you're in this situation, why don't you write the application and I'll just change it here and there?' I had some reservations at the time but I thought I want to help my partner. I didn't sleep for the whole nine hours while I wrote the application. Then I could never get in contact with the solicitor again when I called. I think that solicitor took the case on and got the legal aid money, they sent off the application, then didn't speak to us.*

*And if Joseph was somebody that didn't have a British partner, you know somebody who understands the situation, what would happen to him then? It would be worse. I could complain to the Law Society, I have that option. But if I didn't know anything, if English wasn't my language and I knew nothing about the British legal system, then what would happen? I wanted to complain to the Law Society, not only because of Joseph, but it's going to be somebody else with an immigration problem. You go to that solicitor with hope, then you're treated like you're nobody.*

**THE PROBLEMS WITH LEGAL ADVICE IN DETENTION**

In our view, the shortage of high quality legal advice for detainees means that detention can be unnecessarily prolonged, increasing the trauma of incarceration suffered by the individual and creating unnecessary detention bills to be paid from taxpayers' money.

Legal aid for bail applications is only granted to cases which pass a merits test. Because of the seriousness of being detained, the test is supposed to be applied flexibly so that even those bail cases which have a poor prospect of success should be granted legal aid. However, we routinely see the merits test being wrongly applied in bail cases and detainees who are not advised of their right to appeal their lawyer's decision not to grant legal aid.

A duty rota of lawyers in detention centres are supposed to provide 30 minutes of free advice to detainees – but none of the people we spoke to for this report mentioned this service. Many seemed unaware of its existence. Between August 2007 and July 2008, 74% of people who filled in an evaluation questionnaire at one of our workshops at Yarl's Wood and Harmondsworth had not been to see the free legal adviser.

Immigration detainees held in prisons after their sentence particularly struggle to access legal help because many prisons are in geographic locations where there are few, or no, lawyers providing immigration advice.

## Private lawyers: 'your freedom is going to cost you money'

Those who cannot find a legal aid lawyer are either thrown into the arms of private lawyers who charge for their services, or have to take matters in their own hands and represent themselves. Thomas was of the opinion that if you pay money, you can feel more confident that the lawyer will work for you.

### THOMAS

*People really believe if they have a private lawyer that they work hard for their money. I know some other people that they are using a private lawyer and their lawyer is giving them good news that things are going to work well.*

Unfortunately this was not the experience of the vast majority of people we spoke to. Typically, people would say they had a lawyer working for them but in real terms they could not afford to pay or last minute demands were made for extra money. As a result little work was being done on their cases, people were not being represented in court and inappropriate or badly prepared last-minute applications were made to the Home Office.

### DILIP

*My friend outside had a solicitor and that solicitor got my records and fight it for me, and after the court refused me again and they gave me five days to appeal against that, my solicitor said 'I do it, I do it', but on the last day he said 'I need more money, so if you don't have more money I don't go to court'. I don't have a solicitor at the moment. What can I do?*

### SELINA

*I was in Yarl's Wood for about one week, so they were going to take me to court. When the immigration lady interviewed me she said do I have a solicitor and I said no, the person that I called is asking for money and I don't have money, so look for one for me. They found one....she's going to work for me for two days. So she just came for my interview, she not go to court for me. She said if I want her to go to court with me I have to pay. Since I don't have money to pay she can't go to court with me. So I went to court myself. For real, I have given up finding a solicitor, yes I have.*

### DAVID

*You have the barrister and it's going to cost money, you have this and it's going to cost money, your freedom is going to cost money, the immigration have to decide whether to release you or not release you. It is not fair.*

## Do-it-yourself legal advice

As they are unable to access legal aid and without the money to pay for a lawyer, many people in detention have to represent themselves. This is what happened to Selina who, dropped by her lawyer at short notice, represented herself at her asylum appeal while she was in detention. Selina is unable to read or write.

Regina talked to us about the difficulties faced by her partner, Joseph, while he was an immigration detainee held in prison. Immigration detainees like Joseph remain in prison after their sentence because there is no bed space for them in a detention centre. This administrative decision severely curtails detainees' ability to access legal advice, or represent themselves, because outside phone calls, faxes and internet use are all restricted in prisons.

*'Some people in detention say that any lawyer is better than nothing. At the same time, some people take another opposite side, that it's better not to have a lawyer if the lawyer cannot work for them.'*

- Thomas

## REGINA

*You're behind yet another door before you can access anything in prison. He hasn't really been able to access legal advice in prison. I'm doing it, but I don't know anything about immigration law, I don't know enough but I had to just try. I had to get onto the internet for hours and try to find out. If immigration come to see him, that's happened before, they turn up in the prison, he can't phone for advice because he can't use the phone. It's all a payphone, and they put the money on, we speak once a week. You know it's a PIN system, so it costs something like, I think its 30 pence a minute, so we speak and the money's gone. It's our only chance on the phone, our only chance to talk. It's all got to be business first, chatting later. We still chat and joke, we still manage to chat, but in between I'm always saying 'oh God, I need to do this, have you spoken to anyone about that?' before it goes out of my head. By the time we've finished I have a headache because I'm trying to remember 'what do I have to ask him?' It's just crazy.*

## FOLA'S STORY: 'PRETTY MUCH EVERYTHING I HAD TO DO MYSELF'

Fola is an educated and articulate graduate from Nigeria who has lived in the UK for many years. Unable to access the legal advice she needed when she was detained in Yarl's Wood, she took her case into her own hands. Learning as she went along she made her own legal applications to the High Court and the European Court of Human Rights.

*It was difficult to get a solicitor. In Yarl's Wood we had little or no information with regard to solicitors and because of the change in regulation regarding funding of immigration cases you get more and more solicitors reluctant to actually take on immigration cases because it wasn't really worth their while financially. So regardless of how strong your case is, you come up against a brick wall because when you contact solicitors, they're not that keen to take on the cases.*

*So sometimes you find you have to do most of the paperwork yourself, which is what I had to do, pretty much everything I had to do myself. The application to the European Court, my unlawful detention application to the High Court, I had to learn on my feet and do everything myself. But it was difficult for other women in detention. And that was another way I used to use my time, helping other women with their letters, with their applications, we just helped each other really.*

*What I was doing was the few resource books we had in the library, I would read up on. Then when I came upon case law or legislation or policies relating to immigration or English law I would contact my brother at university and he would download information for me and send it to me by post. And then we had a couple of BID publications, the 'How to Get out of Detention' book and BID also sent me a copy of the 'Challenging Immigration Detention' guide and I just read up on those. Every time I found something in there that I thought I needed to do more research on I would contact BID and they would download the information, get it printed off, and send it to me in detention. So that was what I had to work with, just that, and I used that to fight my case.*



## Applying for immigration bail

The most common reason detainees end up representing themselves is in order to challenge their detention through a bail application heard by an immigration judge. The vast majority of people who contact BID do not have a lawyer and our very existence, empowering detainees to apply for bail themselves, is testimony to the unmet need for high quality legal advice in detention centres

Most people we spoke to had applied for bail several times during their detention - in 2008 only 18% of bail applications heard by an immigration judge were successful. Those that had been released had usually been through several unsuccessful bail applications first. In Luisa's case, having tried for bail already she was reluctant to try again: 'I just don't want to be disappointed again and see if I can try for bail.'

### FRANCES

*I had one unsuccessful bail application, I had a legal aid solicitor, and he did my first bail application and that failed, and the one that BID did for us, that's the one that we got released on.*

### HAFEZ

*I applied four times for bail court and they refused me and the fifth time the judge let me have bail.*

### THOMAS

*There was one lady judge, I met her three times. She turned me down three times, she was always writing these stories all the time. So the last one she really just forgave me, it was like a dream. I thought I was just going to stay in detention and then it was not what I thought.*

Having applied for bail several times, people were able to compare the attitude and approach of different immigration judges. Some people were sceptical about the independence of judges they had encountered and hoped for a sympathetic judge at their next bail hearing. As Regina told us 'it's horrible isn't it, thinking you want a nice judge on a good day'.

### DAVID

*People will go for bail, the judge is going to stand up and say 'I'm independent, I'm not working for the immigration'. He is talking to you now like he is on your side. When he finishes with you he is looking at the immigration's solicitor to take his last order, and the immigration people are nodding their heads together.*

### BASSAM

*The most difficult thing about being in detention for so long was the court. Because sometimes, most of the time, I found bad judges. They didn't realise the length of this situation. They ignore it. I went to court so many times. Some judges they say 'it's a difficult complicated case, I will say next time whether you will be released'. And then it was another judge, they were never the same. They didn't look at the case carefully and deeply. They didn't concentrate on my case, they were just doing their jobs to come and see and then say 'I'll leave it for next time'.*

*Some judges of course they found really silly reasons to refuse bail. Not very logical. When I went for the bail before the last one, the judge said 'your surety lives a long way from where they have given you an address', because she lives near Dover, and I had a bail address in Leeds. They say 'this is far from your surety and she can't contact you'. But the surety herself said we used to contact each other by phone, email, internet, so this is not really a good reason. For the final bail [application] I was given a bail address which is very, very far from Dover, but the judge accepted the bail. Only it was a good judge. He didn't say I was too far from the surety.*



# Life after detention

According to government figures 42% of asylum seekers in detention go on to be released, as do over 40% of families detained with children. This begs the question, why on earth were they detained in the first place?

## 'I am released!'

Some of the people we interviewed had been released, either because a judge had granted bail or because the Home Office had changed its decision to detain them. We asked them if they could tell us something about how they felt on that day. Who did they tell the news to? What did they do when they left the detention centre? Here is what Dorothy, Thomas and Bassam had to say:

### DOROTHY

*When I was released I came to my house and I ate roasted meat, rice and vegetables. My African food! [laughs]. I really enjoyed it. I couldn't eat much; I eat just a little, because of my tummy. Then after the first day I was getting used to my food [laughs].*

### THOMAS

*It was like a dream for me, when the judge was giving me bail. It was like a dream God has given me. At the end of the day I got released, and I was so really happy for that, it was really good news on that day. So thanks very much, I really appreciate it.*

### BASSAM

*I was very excited when I heard I got bail, I was very excited. I didn't believe, not really. I contacted my family, my friends by text to say 'I am released, I am released!' For all of them to know I am released today. I was very, very happy, and very excited. I still remember the day, after six months now, I remember the day, very in detail. I still feel I am enjoying the freedom now, I feel happy in the mind. So now when I walk I say 'after a long time I am walking'.*

Although Bassam's asylum claim had been refused when he was detained, he was finally recognised as a refugee after three and a half years in detention. Even as a refugee, life in the UK has not been easy. He has waited over six months for his paperwork from the Home Office. In the meantime he cannot work despite being entitled to do so and is still living a hand-to-mouth existence on asylum vouchers.

#### BASSAM

*I am allowed to stay now. I have refugee status but I am still waiting for the papers. The solicitor told me by my experience you have to wait a few months. It happened [six months earlier] but until today there is nothing. This is a problem with the money because now I have NASS accommodation [for asylum seekers], and I am given only vouchers. I don't have cash, it's a problem like that. So now it's not a very good situation. A hard situation. Because I lost a lot – first of all I lost freedom, this is number one, and I lost the opportunity to work.*

### 'I feel like I'm different from other people'

After the joy of being released, life after detention is not always about picking up the pieces and continuing as before. The stain left from being detained was such that people found the physical act of being released did not erase either the feeling of being marked by their detention or their fear of being detained all over again.

#### DOROTHY

*When I went outside I feel like I'm different from other people. They don't notice, but I feel like I'm different. Now I am getting much better, even to talk with people. I just look at them sometimes; it's as if I'm different with them. Because of what I went through.*

*I don't feel like me, people they can't ask me why. They just look. I'm not fine, but what can I do? I'm not fine. It's really hard. It's really hard, because when you come outside you feel like you've come from somewhere where there is nothing, nothing. They lock you and your mind doesn't work properly, when you are inside. It was almost a year; it was really hard for me. Even when I was walking outside in the beginning I had to stop, but now I'm getting used to walking again.*

#### DAVID

*In my heart, I feel that I have been treated unjustly. I used to say I am part of the group, I don't feel that way no more. I feel like I'm an alien now here. I don't know if I can trust myself again now to trust these people like I used to before. I have heard about racial things going on, but it never occurred to me that they would happen to me but now I begin to believe what people are saying, that they are two faced. One minute they are with you. For instance my own case, one minute we are together, they are telling me 'yes, this is what you should do, go down there get your housing benefit, you have your children so make sure you claim your child benefit or something', and the next minute they want to take me away from my children.*

**THOMAS**

*I'm physically losing my common sense when I'm coming out. Sometimes when I'm talking alone with people they look at me and say 'what's wrong with this guy?' Even when I'm in the church when I do something strange they look at me like this. And it's because of when I was in detention, maybe it's because of thinking, I was thinking when I was in detention. Because there's no way you can't be thinking. You don't sleep, you'll be moving around the bed or something, wake up in the middle of the night, all those things are going to be there, they'll be having an effect on your body. So that's one of the things that happened to me and developed in my body. It's really worrying me. Before it starts to grow in my body, I will go and see a doctor. Before I was taken to detention I didn't use a GP because I know I'm so really strong, I know my body was really strong. It was only when I went to detention, that was the time those things started to develop.*

**MARGARET**

*Eventually I was released but my kids and me stayed traumatised and up to now I have never recovered from whatever happened to us.*

**'I still dream of being in detention'**

People told us that they were particularly haunted by their time in detention at night. Helen, Frances and Thomas lie in bed waiting for the knock on the door and re-detention, and Bassam dreams he is still locked up.

**HELEN**

*Where I am staying after release, I am sharing the house with a lady, but I'm telling you this lady has already lodged a complaint. Because I've got this thing, when I am sleeping, the moment I hear a footstep, I get up and I scream in my dreams. The moment I hear a knock on the door it's like I will fall on the ground and collapse. I sleep with my door open, and the moment I hear a footstep, like if she gets up in the night, I will be screaming 'Mary, is that you, what do you want, why should you be moving about in the night?'*

**BASSAM**

*Sometimes I sleep but I am in detention, and I say to people 'listen, I am released but what am I doing here now? I should be out.' And I wake up and thank God that it's not true, and relax when I wake up. But I still dream of being in detention. I was in detention a long time, this is the problem.*

**FRANCES**

*Detention is killing me, it's killing me. In this household we can't sleep in the night. We are so scared. The children, every time they hear a knock, they come running to me, 'who's at the door mummy?'*

**THOMAS**

*Sometimes I feel it, the pressure, because I'm used to shock. If I'm sleeping if my door is moving I have to stand up in the middle of the night to see, maybe somebody is coming or something, so I'm still feeling it, as I am now. That detention is in my chest or something, to be panicked, so anything making noise I have to stand up and look around to see how it is. I feel free but in my body I'm still having that panic.*

**'We are human beings'**

We asked all the people we interviewed – those who had been released and those who remain in detention – what they would like to tell the Home Office and the British public about their experiences of immigration detention in the UK. It seems only fitting that the final words in this report are from them to you. This is what they want you to know -

**LUISA**

*I thought they would only do this in Africa, but if they do it in well developed countries, I just raise my hands up. I just realised this world is madness, it's full of madness.*

**HELEN**

*I would just say, I know it is difficult for the Home Office sometimes, to know who genuine asylum seekers are. But if people have undergone the kind of trauma that somebody like me has undergone, and they come here where they think that they are safe, but they are still being verbally abused and mentally tortured by Home Office staff, I don't think the world is going to be a better place. I don't think that is going to do any good. Because for somebody like me, now my life is not the same again.*

**DAVID**

*If I was with the immigration now I would tell them they should search their own conscience. We are all human beings; it's the same blood that runs in our bodies. I would tell them that they need to do what they are doing - there is no country that has no rules, otherwise we would be like headless chickens - but whatever they are doing they should do it quick and fast. If you know you want to put somebody in detention, put them in there for a reason. And as soon as you can't find a reason then kindly set them free. Because the longer you keep somebody in detention you are taking part of his life away.*

**HAFEZ**

*The British people don't understand because they have not been in this situation. Even animals have rights.*

**FRANCES**

*So you know we just hope that the government will come up with a better way of doing these removals. Because most of these people that they bring in detention centres are people who they know where they are. They're people who are not going underground, they are people who are in the system. For me the reason they gave is that they couldn't release me because I would abscond. If I absconded, where would I go to? I'm not allowed to work. I can't do anything with three children, no one would take me in. Even my best friend, even my own sister, cannot keep me with three children. There's nowhere I can go to, I need the system to survive, so where would I abscond to? I'm living on support from the Home Office, I get their money every week, where would I abscond to?*

**JENNA**

*I would like to tell the Home Office that I haven't had the chance to explain and I don't think they considered all the facts. I didn't have the chance to go to court to appeal the decision. They just gave me the refusal and the removal at the same time. I haven't had a chance to explain myself like I would now if I had somebody here to speak to. But I am so afraid of them now because they are just awful people. They don't care about your feelings, they don't care about anything, they are just here to return you back. But now I don't trust anybody from the Home Office because I haven't done anything wrong and they put me in a situation, nobody deserves that situation you know. Many people are suffering from that. They are just doing awful things.*

**DAVID**

*Whatever is going on between him, the immigration, and his God it is not going well.*

**DILIP**

*You know, we are men, we are human beings if we are just kept like a dog and we are just put behind some wire or something like that and we just stay one side and we don't go outside we must be angry. We are human beings, we want freedom.*

**AMADOU**

*I would like the immigration to know that they have hurt my family. People who say because I've been in prison I should leave this country they have to know one's situation. You can't just say 'up and leave' because they don't know the people or the situation or how long they've been here, nobody knows. So you can't just say 'leave!' because you're destroying everyone around them's life, destroying their family.*

**REGINA**

*Whether it be that for whatever he's done or for the immigration circumstances they have to separate us, what I feel is that they don't have to make it so traumatic. And that is what I see within him, it's just the cruelty of it, leaving someone in limbo not knowing what's happening, and they know very well that he'll be affected. There's such a thing as human rights, and that just seems to go out of the window.*

# Recommendations

**BID believes that asylum seekers and migrants in the UK have a right to liberty and should be protected from arbitrary and prolonged detention by effective and accessible legal safeguards.**

we are opposed to the use of immigration detention for the administrative convenience of the government

we believe the government's power to detain must be subject to a statutory time limit

we believe there must be judicial oversight of the government's decision to detain

through automatic bail hearings

we believe there should be high quality, publicly-funded legal representation

for all immigration detainees applying for bail

we believe that children and their families should never be detained

for the purposes of immigration control

we are opposed to the use of the detained fast track and

believe asylum seekers should never be detained while their

claims are decided

we believe that people with serious mental and

physical health conditions should not be held in

immigration detention

## What you can do

**If you would like more information about the issues you have read about in this report please visit our website [www.biduk.org](http://www.biduk.org). If you want to take action in support of people held in immigration detention you can**

write to your MP asking them to raise your concerns about the use of immigration detention in the UK with the Home Secretary. There is a model letter on our website to help you. To find out the name of your MP and to write to them online visit **[www.writetothem.com](http://www.writetothem.com)**

sign up to the OutCry! campaign to end immigration detention of children **[www.outcrycampaign.org.uk](http://www.outcrycampaign.org.uk)**

get involved in the work of BID by becoming a member, offering a donation towards our work or donating your time as a volunteer. For more information visit our website **[www.biduk.org](http://www.biduk.org)**.

join a visitors group offering much needed support to people in immigration detention. For more information about visitors groups in your area visit **[www.aviddetention.org.uk](http://www.aviddetention.org.uk)**

