



Asylum and Refugee Network - QARN

Immigration Detention

'Evils which have struck their roots deep in the fabric of human society are often accepted ... as part of the providential ordering of life. They lurk unsuspected in the system of things ...' William Charles Braithwaite, 1919, Quaker Faith and Practice 23.05

"Indefinite detention is a torture, it melts your brain. I've seen intelligent people forget how to write their names inside. Healthcare has everyone drugged up on sleeping pills. You forget court dates, you don't trust anyone, even your solicitor or visiting groups. You confuse your story, you get in fights. Ultimately, your claim suffers. It is a vicious cycle."

Gabriel, from Freed Voices – refugee who had been held in immigration detention

Why are Quakers concerned?

As Quakers we believe in that of God in everyone. Our concerns for those held in immigration detention stem from our testimonies to equality and justice. **We want to end immigration detention because it is unjust and inhumane.**

In January 2023, the government's independent inspector of borders and immigration found that in immigration detention centres, torture victims and suicidal people are not receiving adequate help. He criticised the ending of annual inspections into the treatment of vulnerable adults in detention centres. His report is continued evidence of punitive conditions, hidden from the public eye within the detention system. In many cases, the government has detained people unlawfully, and in 2021/22 had to pay £12.7 million in compensation to 572 people, aside from the Windrush cases. Large scale detention makes more cases of unlawful detentions likely. In addition, private companies, Mitie and Serco, profit from lucrative contracts to manage these centres. Their lack of accountability can lead to a culture of impunity.

Every year, some 20,000 migrants and foreign ex-offenders are locked up – out of sight, out of mind, without legal process, without a time limit. At any one time there are about 1,200 people held in immigration removal centres (IRCs) around the UK.

People are held in detention centres while their identities are verified, or in cases where there is a perceived risk of them absconding, or when the government expects to remove them to another country. Detention centres are different from other temporary accommodation used to house asylum seekers: Detention centres function like prisons.

Under the Illegal Migration Act 2023, the applications of many asylum seekers will automatically be inadmissible, regardless of their experiences of persecution, torture, war or humanitarian disaster, and they are likely to be placed in immigration detention for long periods, pending their removal. Most people in detention get released because their asylum claim is being considered, but the new law may mean that many claims are inadmissible. The law also gives the Secretary of State power to define what the 'reasonable' detention period is and to detain people without any judicial oversight, even if their removal from the UK is not possible.

What needs to change?

Develop community-based alternatives to immigration detention: We believe that immigration detention has no place in a just and fair asylum system. **Supportive alternatives to detention are better and cheaper.** From 2019 – 2021, an 'Alternatives to Detention' pilot, supported 20 women asylum seekers in a community setting with one-to-one support, English classes and access to lawyers. This was much better for the women's wellbeing and cost half as much as immigration detention. Other countries such as Sweden successfully use similar alternatives. Cross-party parliamentary inquiries into detention have also urged the use of alternatives whenever possible.

Earlier consideration of release: The initial decision to detain is made by immigration officers without reference to a court. In theory each detainee has the right to apply for bail after seven days, but this is difficult to do in an unfamiliar language and without access to appropriate legal advice. **We join with others to call for a 72-hour limit, by which time the case for detention must be considered by an appropriate judicial authority.**

Absolute limit on time in detention: The UK is the only country in Europe that doesn't have a time limit on detention. The UNHCR has repeatedly called for this practice to end. Indefinite detention damages people, physically and mentally – not only the detainees but their children and other family members. Detainees describe themselves as living in limbo and speak of the 'emotional torture' of having no idea if or when they will be forcibly deported or, as approximately three-quarters are, released into the community. As a first step towards the abolition of detention, we call for reversal of the clause in the Illegal Migration Bill that bans detainees from getting immigration bail during their first 28 days. **There should be an absolute limit of 28 days of detention.**



Illustration by George Sfougaras

Stop detaining victims of torture, rape, and slavery as well as pregnant women and those with health problems: Our government says its policy is not to detain survivors of torture or those with serious medical or mental health problems. However, survivors of rape and torture, pregnant women, and those with severe mental and physical health problems are often found in detention, which in many cases makes them relive the trauma already suffered in their country of origin. The prevailing 'climate of disbelief' at the Home Office makes it particularly hard to 'prove' you have suffered rape, for example, or are a victim of trafficking. In addition, due to the Illegal Immigration Act, many more asylum seekers who have suffered these issues are likely to be detained, without reviewing their circumstances.

Children should never be kept in immigration detention: One of the most extreme aspects of the Illegal Migration Act is that it allows children to be put in detention. A Refugee Council impact assessment found that this could affect over 45,000 children in the first three years after the Act, including nearly 15,000 children who have been separated from their parents. In 2010, based on medical evidence of physical and psychological harm, the government decided to end the detention of children. This decision should not be reversed. **The 2023 Act must be amended so that children are protected from detention.**

What can we do?

- *Inform ourselves:* detentionforum.org.uk is a good place to start.
- *Visit Quaker Asylum and Refugee Network (QARN) website:* qarn.org.uk. The website can signpost you to many organisations and reports. Our mailing list sends out regular updates. We hold meetings, organise conferences and support one another in our work. Sign up to join our email group by contacting info@qarn.org.uk
- *Ask your Meeting to become a Meeting of Sanctuary:* Meetings of Sanctuary act in solidarity with local refugees and migrants, as well as supporting better policies.
- *Engage with your MP:* Write to your MP. If your MP is a key player, arrange a meeting with them and invite an expert on detention to join you.
- *Help refugees to speak out:* Freed Voices is a group of experts-by-experience committed to speaking out about the realities of immigration detention. You can contact them to invite members of the group to speak at an event.
- *Support detainees:* Volunteer with an NGO working in your area. There are opportunities for volunteer visitors, interpreters and advocacy workers. Offer financial support, for example to a local NGO or to organisations like Freed Voices.
- *Share accurate information:* Write to your papers. Use social media to challenge lies. Organise a public meeting. Attend events as a speaker.