

NEVER TRULY FREE

The humanitarian impact
of the UK immigration
detention system



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UK immigration detention system**

Catherine Blanchard

Policy and Advocacy, British Red Cross

“

The most important impact of somebody's detention is the psychological. You cannot see it. Physical damage you can see – if somebody broke his hand or leg, you see it, you realise it. But psychological effects, you can't see. And after releasing you from the detention, the psychological effect remains for long, long time.

”

Sabir, Pakistan

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ISBN 978-0-900228-35-3

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Acknowledgements

Special thanks to:

- > The project group – Karl Pike, Alex Fraser, Joe Potter, Jon Featonby and Jury Arevalo – for their insight and enthusiasm.
- > Our research participants, both British Red Cross staff and service users, for giving their time and sharing their views and experiences.
- > The interviewees for our mini case studies: Stefan Robert, Shirley Gillan and Helen Osborn.
- > Staff and volunteers at the British Red Cross for their assistance with sourcing research participants and helping to coordinate the fieldwork: Saliha Anjum, Benedetta Balmaverde, Jasmine Batty, Claire Brand, Lara Casalotti, Shamila Dhana, Ferida Dube, Isabelle Fathimani, David Feindouno, Gloria Ho, Ester Htoo, Anna Letizia, Malcolm Little, Nina Lugor, Barbara Malik, Jillian McBride, Eric Nkundumubano, Stefan Robert, Zeraslasie Shiker, Lucy Simmonds, Cathy Stevenson, Cadi St John, Andrea Wood and Alex Wulf.
- > Our British Red Cross and external contacts for sharing their expertise and helping shape the study; in particular: Sarah Davidson and Rosie Longley (British Red Cross), Jerome Phelps and Danae Psilla (Detention Action), Jon Featonby (then Refugee Council), Kate Alexander and Shirley Gillan (Scottish Detainee Visitors) and Eiri Ohtani (The Detention Forum).
- > Hardeep Aiden, Sarah Joy and Jan Moore for their assistance with data collection.

Executive summary

“

It's a place where they shouldn't keep people, because you might go in there mentally okay, but by the time you leave, you're not mentally fine.

” **Aniso, Somalia**



Immigration detention refers to the government practice of detaining asylum seekers and other migrants for administrative purposes, typically to establish their identity or to facilitate their immigration claim resolution and/or their removal. In the 12 months ending 30 September 2017, a total of 27,565 people entered immigration detention. The UK has one of the largest detention estates in Europe and is the only European country that does not have a maximum limit on the length of time for which someone can be detained.

Research objectives

The objectives of the research were to:

- a.** Explore from the viewpoint of people detained at some point in the asylum process:
 - > their experience of being detained
 - > their experience of life in detention
 - > what life is like after detention.
- b.** Explore the major detention-related issues seen by British Red Cross caseworkers.
- c.** Outline options for reform.

Conclusion

Immigration detention has a known negative impact on mental health. Most detainees will have experienced some form of trauma in their life before detention, the effects of which can be exacerbated in detention. The harm caused by being detained does not end when an individual is released. Instead, it continues and is deepened by a lack of support and a damaging system of immigration control.

Recommendations

For the Home Office:

1. Detention should only ever be used as a last resort and for the shortest possible time:
 - > Allow people to live in their communities while their immigration cases are resolved by replacing the systems of detention and reporting with end-to-end, case-management-led, community-based alternatives.
 - > Introduce a statutory maximum time limit of 28 days on the length of time an individual can be detained for immigration purposes.
 - > Make the process of being detained, and conditions within detention, more humane, including prohibiting the use of handcuffs when people being detained are in transit.
 - > Don't detain someone who cannot return home or be removed due to such issues as lack of documentation.
2. Vulnerable people should never be detained:
 - > Adopt a vulnerability screening tool to screen individuals prior to the decision to detain and to identify vulnerabilities that develop while people are in detention.
 - > Introduce a prohibition on the detention of pregnant women.
3. The overly onerous and traumatic experience of immigration reporting should be overhauled:
 - > Never detain someone when they attend to report. Detention should only take place as a last resort to effect removal, and as part of an end-to-end, case-management-led system.
 - > Provide people with end-to-end asylum support to enable them to meet their basic needs and live in dignity, while effectively engaging with their immigration case.
 - > Reduce the stress people experience by not requiring people to report more often than needed.
 - > Ensure people are able to meet their reporting requirements by covering travel costs and increasing the number of reporting locations that are available to them.

For the British Red Cross:

Our recommendations include:

- > Look to further develop an operational response that provides assistance to people who are subject to the process of immigration reporting.
- > Through our existing refugee support activities, work to ensure people are equipped with vital information about immigration detention and their rights, so people feel better prepared should they face detention, particularly with little or no warning.
- > Explore how best to mitigate the risk of destitution for people leaving detention, through ensuring people have information about and access to any statutory support they are entitled to, and information about support provided by the Red Cross and others in the refugee sector.

Research methodology

This study employed a mixed-methods design, including:

- > A desk review of existing literature and available quantitative data, and the submission of two freedom of information requests.
- > Semi-structured interviews with 26 British Red Cross service users detained at some point in the asylum system. No interviews were conducted with people currently in detention.
- > Semi-structured interviews with six British Red Cross refugee support staff members who work with service users who have been detained or who are liable to detention.
- > Three mini case studies on interventions that can provide support to people post-detention.

Key findings

Getting detained

Most of the 26 service users we interviewed were detained when they went to report, an event for which they were totally unprepared. Fourteen of the 26 service users have been detained once, 11 twice, and one female service user has been detained four times. The shortest time spent in detention was ten days and the longest was two years and seven months.

Life in detention

Worrying issues that arose include the impact of detention on mental health. Two of the service users we interviewed had seen others try to commit suicide, four had considered suicide, and five actually attempted suicide. Twenty-five of the 26 reported that they had been given no access to mental health support services.

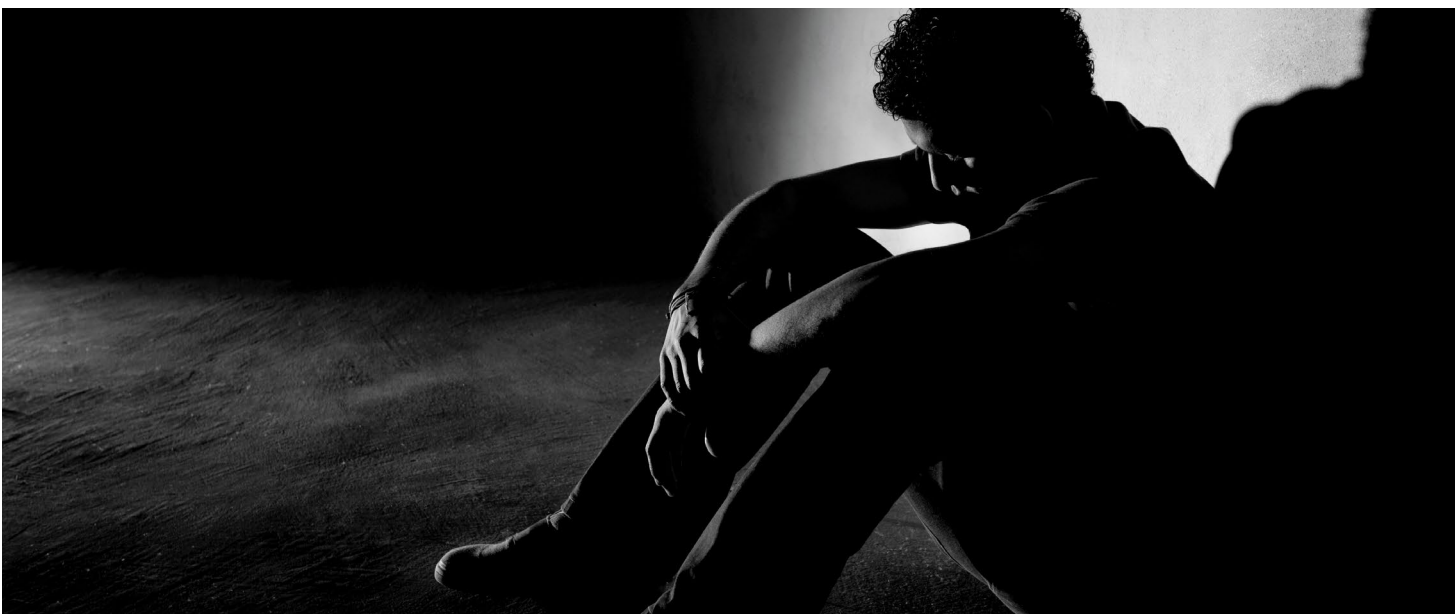
Living in uncertainty was distressing and encompassed two main aspects: firstly, the service users did not know if they would be returned to their country of origin; and secondly, they did not know when their detention would end. Most reported that being in detention left them feeling like criminals. Some felt that being in prison would actually be better, since at least prisoners know when they will be released.

Life after detention

Life does not appear to get better when people are released from detention. Fourteen of the 26 are not on asylum support and have to rely on charities to survive. The majority of the service users we interviewed have to report, most commonly every two weeks or monthly. The fear of reporting, and of being detained again, colours their life. People often have to travel long distances to attend reporting centres. For those not on asylum support, finding the money for transport is a problem.

Twenty of the 26 service users spoke of continuing struggles with mental health issues. Integrating after release from detention is hard, particularly when a person is destitute and battling mental health issues.

In the year ending September 2017, of the 27,809 people who left detention, only 48 per cent were removed from the UK. The remaining 52 per cent were released into the community, which raises questions about the justification for their detention in the first place. The damage done by detention does not simply go away once someone is released and the negative impact on mental health persists long after detention. Expecting someone to engage with their asylum case after release is unrealistic if they are battling mental health issues, receiving no asylum support, and subject to enforcement-based alternatives to detention, like reporting.





1 Introduction

The vision of the British Red Cross is a world where everyone gets the help they need in a crisis. One of our strategic aims is to reduce destitution and distress for those who are displaced, and the Red Cross has a long tradition of providing practical and emotional support to vulnerable refugees and asylum seekers across the UK, irrespective of their status.

The use of detention is one of the most controversial aspects of the UK immigration and asylum system. Immigration detention hit the headlines in September 2017, when a BBC *Panorama* investigation highlighted serious issues connected with the running of Brook House Immigration Removal Centre (IRC) near Gatwick airport (*Undercover: Britain's immigration secrets 2017*). This subsequently led to a Home Affairs Select Committee inquiry into the running of Brook House IRC. In October 2017, *The Guardian* – among others – featured the death of a male detainee in Morton Hall IRC; this was the third death in an IRC in less than a month (Taylor 2017).



1.1 What is immigration detention?

Immigration detention refers to the government practice of detaining asylum seekers and other migrants for administrative purposes, typically to establish their identity or to facilitate their immigration claim resolution and/or their removal (Migration Observatory 2017). It is an administrative process rather than a criminal procedure, and powers to detain are exercised by Home Office officials rather than judges.

Chapter 55 of the Enforcement Instructions and Guidance (UKVI and Immigration Enforcement 2017) sets out five possible reasons for detention:

- > The person is likely to abscond if given temporary admission or release.
- > There is insufficient reliable information to decide on whether to grant the person temporary admission or release.
- > The person's removal from the UK is imminent.
- > The person needs to be detained whilst alternative arrangements are made for their care.
- > The person's release is not considered conducive to the public good.

Border officials in the UK may detain migrants on arrival; upon presentation to an immigration office within the country; during a check-in with immigration officials, once a decision to remove has been issued; and after a prison sentence or following arrest by a police officer (Migration Observatory 2017).

There are currently eight IRCs in the UK, after the Verne IRC was transferred back to Her Majesty's (HM) Prison and Probation Service in January 2018. The UK has one of the largest detention estates in Europe and is the only European country that does not have a maximum limit on the length of time for which someone can be detained.

Sabiti's story

Sabiti is 33 years old and arrived in the UK in January 2006 from Uganda. She left because of the violence there. Sabiti's twin sister disappeared: "I never got to know where she went to". Her father and brother were killed, and her already frail mother was tortured. Sabiti was taken hostage and raped. She managed to escape. Someone offered to help her leave Uganda. She says: "I was scared because I thought I was getting into another trap, like somebody was going to take me hostage again, but I managed to get somebody who managed to help me."

Sabiti claimed asylum as soon as she arrived in the UK and was taken to Yarl's Wood Immigration Removal Centre (IRC). While in Yarl's Wood, she realised she was pregnant. She tried to commit suicide while in Yarl's Wood. That same day, they tried to deport her: "They managed to take me to the airport even though that had happened. They checked me through the health centre and put me in the car and took me to the airport. I sat there and they brought me back. I was hungry for the whole day".

Sabiti was in Yarl's Wood IRC for almost six months. She was released on temporary admission, while heavily pregnant and without asylum support.

Sabiti's asylum claim was refused. She has, however, recently been granted discretionary leave to remain because she has two children who are British. Her oldest daughter has also recently been given a British passport.

1.2 Key facts about immigration detention

As of the November 2017 release of the immigration statistics, data on the number of individuals held in HM prisons under immigration powers are included in the detention tables for the first time. In the 12 months ending 30 September 2017, a total of 27,565 people entered detention under Immigration Act powers, of which 813 entered through prisons (Home Office 2017a).

In response to a freedom of information request submitted by the Red Cross, the Home Office provided a snapshot of those held in immigration detention as of 30 June 2017 (see Table 1).

The statistics are taken from a live operational database; as such, numbers may change as information on that system is updated. Detention data were extracted from the Detention Single Data Set on 27 July 2017 and record 3,329 people being held in immigration detention (Detention and Escorting Services FOI Team 2017).

As detailed in Table 1, there are a number of routes into detention. The National Removals Command is in charge of arranging detention and deportation of refused asylum seekers and migrants with irregular status. The Criminal Casework Directorate deals with foreign nationals who have been convicted of a criminal offence and who are subject to deportation action following their conviction(s). Detained Asylum Casework was introduced in July 2015 to deal with late asylum claims that the Home Office believes can be processed fairly in detention and when there is a realistic prospect of removal within a reasonable timeframe.

The Third Country Unit is the part of the Home Office that manages asylum claims from those who have already made, or may have made, asylum claims in a safe third country. Border Force is a law enforcement command within the Home Office that secures the UK border by carrying out immigration and customs controls for people and goods entering the UK. Operation Nexus is a joint initiative by the Home Office and Metropolitan Police focusing on the identification of foreign nationals who break the law.

In total, 28,677 people left detention in 2016, of which 14,733 (51.4 per cent) were asylum detainees and 13,944 (48.6 per cent) were non-asylum detainees. Only 47 per cent of those who left detention were actually removed from the UK; the remaining 53 per cent were released back into the community (Home Office 2017b).

Information provided by the Home Office in response to a freedom of information request submitted by the Red Cross shows that, of the 14,733 asylum detainees who left detention in 2016, 53.3 per cent had been detained for up to 28 days. A further 41.9 per cent had been detained for a period of 29 days to six months. Of the 13,944 non-asylum detainees who left detention, 74.9 per cent had been detained for up to 28 days. A further 23.9 per cent had been detained for 29 days to six months (Detention and Escorting Services FOI Team 2017, see Table 2).

Table 1: Breakdown of male and female detainees as of 30 June 2017

	Males detained	Females detained	Total detainees
National Removals Command	1,119	205	1,324
Criminal Casework Directorate	1,141	38	1,179
Detained Asylum Casework	456	93	549
Third Country Unit	122	1	123
Border Force	53	9	62
Other (unspecified)	44	8	52
Operation Nexus	38	2	40
Total	2,973	356	3,329

Table 2: Asylum and non-asylum detainees leaving detention by length of detention (2017)

Length of detention	Number of asylum detainees	Percentage of asylum detainees	Number of non-asylum detainees	Percentage of non-asylum detainees
3 days or less	2,792	18.95	5,074	36.39
4 to 7 days	1,520	10.32	769	5.52
8 to 14 days	1,399	9.50	2,073	14.87
15 to 28 days	2,139	14.52	2,528	18.13
29 days to less than 2 months	3,138	21.30	2,135	15.31
2 months to less than 3 months	1,506	10.22	718	5.15
3 months to less than 4 months	746	5.06	292	2.09
4 months to less than 6 months	779	5.29	190	1.36
6 months to less than 12 months	565	3.83	106	0.76
12 months to less than 18 months	94	0.64	32	0.23
18 months to less than 24 months	33	0.22	20	0.14
24 months to less than 36 months	19	0.13	5	0.04
36 months to less than 48 months	3	0.02	2	0.01
48 months or more	0	0.00	0	0.00
Total	14,733	100	13,944	100

1.3 The All Party Parliamentary Group inquiry

In March 2015, the All Party Parliamentary Group (APPG) on Refugees and the All Party Parliamentary Group on Migration published the report of a joint inquiry into the use of immigration detention in the UK (APPG on Refugees and APPG on Migration 2015). This was the first-ever parliamentary inquiry into the use of immigration detention in the UK.

Key recommendations made were:

- > There should be a time limit of 28 days on the length of time anyone can be held in immigration detention.
- > Detention is currently used disproportionately frequently, resulting in too many instances of detention. The presumption in theory and practice should be in favour of community-based resolutions and against detention.
- > Decisions to detain should be very rare and detention should be for the shortest possible time and only to effect removal.
- > The Government should learn from international best practice and introduce a much wider range of alternatives to detention than are currently used in the UK.

1.4 Stephen Shaw's review

In February 2015, the then Home Secretary, Theresa May MP, commissioned an independent review into welfare and vulnerability in the detention system. The review, conducted by former Prisons Ombudsman Stephen Shaw and published in January 2016, identified shortcomings in both the identification of vulnerability and the policies designed to maintain wellbeing. Shaw found "incontrovertibly that detention in and of itself undermines welfare and contributes to vulnerability" (Shaw 2016: 191). Shaw concluded: "Immigration detention has increased, is increasing, and – whether by better screening, more effective reviews, or formal time limit – it ought to be reduced" (Shaw 2016: 192).

1.4.1 Major developments since the Shaw review

In June 2016, the Home Office established a 'detention gatekeeper' function to strengthen the consistency of decisions to detain, and to ensure vulnerability is fully taken into account at the time of the decision to detain.

Section 60 of the Immigration Act 2016 (HM Government 2016), which came into force in July 2016, placed a 72-hour limit on the detention of pregnant women for the purposes of removal, extendable to up to one week in total with ministerial authorisation. It does, however, appear that pregnant women continue to be needlessly detained. Home Office records indicate that 47 pregnant women were detained in the immigration detention estate between 12 July 2016 and 30 June 2017, with only eight of them being removed from the UK (Baroness Williams of Trafford 2017).

From 12 September 2016, in response to Shaw's review, the new Adults at Risk policy was implemented. The guidance on adults at risk in immigration detention (Home Office 2016a) is intended to lead to a reduction in both the number of vulnerable people detained and the duration of detention before removal. The appropriateness of a vulnerable person's detention will be assessed on a case-by-case basis. Paragraphs 2-4 of the guidance (Home Office 2016a: 4) state that there is a clear presumption that detention will not be appropriate if a person is considered to be "at risk". Detention will, however, still be considered appropriate if immigration control considerations outweigh this presumption.

1.4.2 How functional is the Adults at Risk policy?

Aspects of the Adults at Risk policy have already been challenged successfully in the courts. The Adults at Risk policy narrows the definition of torture to refer to violence carried out by official state agents only. As a result, those tortured by traffickers, terrorists or other non-government forces could be held in detention, even if expert medical evidence found the scars on their bodies to be consistent with their accounts of torture. Seven detainees and Medical Justice, the charity that sent volunteer doctors to assist two of the

seven in detention, challenged the narrowing of the definition in the High Court. The High Court ruling – handed down in October 2017 – found that the Home Office narrowing of the definition of torture lacked “rational or evidence base” and was unlawful (*Medical Justice and Others v SSHD* [2017] EWHC 2461 (Admin): 35).

The High Court judgment states: “The chief problem with the narrowed definition is that it excludes certain individuals whose experiences of the infliction of severe pain and suffering may indeed make them particularly vulnerable to harm in detention” (*Medical Justice and Others v SSHD* [2017] EWHC 2461 (Admin): 41). The judge stated that the definition of “torture” intended for use in the policy would require medical practitioners to “reach conclusions on political issues which they cannot rationally be asked to reach” (*Medical Justice and Others v SSHD* [2017] EWHC 2461 (Admin): 49). The Home Office has confirmed it will not appeal against the ruling.

Recent research by Women for Refugee Women (Lousley and Cope 2017) also found that the Adults at Risk policy is not working in practice. Between May and September 2017, they spoke to 26 women who had claimed asylum and been detained since the Adults at Risk policy became operational. Twenty-two of the women were survivors of sexual or other gender-based violence, including domestic violence, forced marriage, female genital mutilation (FGM) and forced prostitution/trafficking. Yet all 22 were still detained.

The British Medical Association (BMA) published a report in December 2017 expressing its concern about the ongoing detention of vulnerable people (BMA 2017). The BMA calls for a clear limit on the time for which people can be held in immigration detention and states that vulnerable individuals should be detained only in exceptional circumstances. It recommends that the Home Office should consider how best to develop processes to routinely screen people before they enter detention for vulnerabilities that leave them particularly susceptible to harm.

Screening tools to identify and address vulnerability do exist. The United Nations Refugee Agency (UNHCR) and the International Detention Coalition (IDC), with the support of

the Oak Foundation, have jointly developed a Vulnerability Screening Tool (UNHCR and IDC 2016). The tool was designed to assist asylum and migration systems in identifying and addressing vulnerability, and it can be adapted to suit local system requirements. The tool can be used in interviews prior to a decision to detain, and repeat screening while the individual is in detention is critical. Information provided via health checks or other service providers complements the use of the tool. Screening will help to determine whether a more comprehensive and professional assessment is called for.

Stephen Shaw is currently revisiting his review and looking at what progress has been made on the recommendations he made originally. He is due to submit his report to the Home Office in March 2018.

1.5 Oversight of detention

Independent monitoring and oversight of conditions in immigration detention are provided by various bodies. One of these is HM Inspectorate of Prisons, which has a remit that includes reporting on the treatment and conditions for people held in IRCs.

The detention section of the HM Chief Inspectorate of Prisons for England and Wales 2016–2017 annual report (HM Inspectorate of Prisons 2017a) draws on inspection reports for three IRCs - Brook House, Colnbrook and Morton Hall. The report states that a significant number of detainees were held for prolonged periods at all three IRCs. The report states: “There remains a pressing need for a maximum time limit on immigration detention, especially in light of shortcomings in legal assistance” (HM Inspectorate of Prisons 2017a: 73).

At all three IRCs, detainees reported experiencing feelings of depression or despair. Despite the Adults at Risk policy being in operation, the inspectors found people with severe mental illness in detention where their complex needs could not be met. At Morton Hall, there had been a three-fold increase in incidents of self-harm since the previous inspection (HM Inspectorate of Prisons 2017a).

A recent report from HM Chief Inspector of Prisons on Yarl’s Wood IRC (HM Inspectorate

of Prisons 2017b) expressed concerned that, in many of the cases reviewed, detention of vulnerable detainees was maintained despite the acceptance of professional evidence of torture. The authors state that the effectiveness of the Adults at Risk policy, which is intended to reduce the detention of vulnerable people, is questionable. The inspection found that the IRC did not have an accurate list of detainees assessed to be at risk, and the inspectors were not confident that effective support and monitoring was provided for all detainees assessed to be at risk. The report states that, in the six months prior to the inspection, there had been 39 self-harm incidents involving 24 detainees. Five detainees had required treatment in hospital, mostly for overdoses.

One of the main recommendations made in the report on Yarl's Wood IRC is that a strict time limit should be imposed on the length of detention. During the six months prior to the inspection, 67 per cent of women had been released back into the community, which, according to the authors, "raised questions about the justification for detention in the first place" (HM Inspectorate of Prisons 2017b: 30).

1.6 Alternatives to detention

The increased focus on the use of detention in the UK, and calls for fewer people to be detained, has led to greater consideration of alternatives to detention. The Detention Forum is a network of more than 30 organisations that are working together to challenge the UK's use of immigration detention. The Detention Forum is calling for alternatives to detention other than the traditional, enforcement-based alternatives such as reporting and electronic tagging. These alternatives would be based on case management that could assist migrants to work towards resolving their cases in the community without unnecessary detention (The Detention Forum 2017). Case resolution could entail migrants either regularising their status or returning with dignity without passing through detention. The Detention Forum believes that such an approach should allow detention for more than a few days to be used only in exceptional circumstances. The UNHCR-IDC Vulnerability Screening Tool (UNHCR and IDC 2016) can also be used to inform decisions about

a person's suitability for alternatives to detention or placement options in the community. The tool can be used at periodic intervals during asylum and migration procedures to review and adjust decisions about placement and support.

The BMA recommends that detention policies are revised to address the significant health effects that indeterminate detention can have on individuals (BMA 2017). It states that detention should be reserved for those individuals who pose a threat to public order or safety, and that detention of people who have not been convicted of a crime should be a measure of last resort. The BMA recommends that the Home Office should consider a more compassionate approach to monitoring individuals facing removal from the UK by replacing the routine use of detention with alternative, more humane means.

While case management is not currently used in the UK asylum process, a more engagement-focused approach is being used successfully in parts of the asylum system. The Family Returns Process was introduced in 2011 following the Coalition government's pledge to end the use of detention for children. It uses engagement to help resolve the cases of families who have been refused asylum (Gower 2014). The first step in the process is a family return conference with the family, to discuss the option of voluntary return and any barriers to return, such as medical or family welfare issues. Two weeks later, there is a family departure meeting, to discuss the family's views about their options. If the family decides not to take voluntary return, they are given two weeks' notice of a required return. This means their return is arranged by the Home Office, but they make their own way to the airport and their return takes place without the use of enforcement.

Only if these attempts to resolve the family's case are unsuccessful can enforcement be used. If the family does not comply with the required return, the Home Office draws up a plan for their ensured return. This plan is referred to the Independent Family Returns Panel, whose membership includes health and child welfare experts, and who can recommend changes to the plan. As a last resort, detention may be used, but only with the approval of the panel. Detention can be used for up to 72 hours, extendable up to a week with ministerial approval.

Under the Family Returns Process, the number of children detained in the UK has fallen dramatically. In 2009, 1,119 children entered detention (Home Office 2017c). In the year ending September 2017, only 40 children entered detention (Home Office 2017c). The Family Returns Panel report for 2014-2016 shows that, during that reporting period, 1,470 families returned through the process. Ninety-seven per cent (1,323) of those families left the country voluntarily, without the use of enforcement or detention.

Detention Action (2016: 25) states that the Family Returns Process “does not correspond to international good practice in alternatives to detention”. However, it acknowledges that this approach to families who have been refused asylum “demonstrates that engaging in a structured way with migrants in the returns

process can reduce the need for detention”. Detention Action is currently running a Community Support Project in the UK, which shows that alternatives to detention can work even for the most complex situations (Detention Action 2016). Since June 2014, the project has been working with male ex-offender migrants aged 18 to 30 years, who have barriers to removal and have experienced, or are at risk of, long-term detention. The project provides structured case management to enable individuals to stabilise their lives in the community, avoiding re-offending and absconding while their cases are resolved. As of January 2017, over 86 per cent of participants had complied with the conditions of their release without absconding, while the reoffending rate was 5 per cent. No participants were reconvicted of serious offences (The Detention Forum 2017).



Sabir's story

Sabir is 49 years old and arrived in the UK in 2004 from Pakistan. He is from Karachi and belonged to the Mohajir Qaumi Movement. The party was seen as trying to create a separate state from Pakistan. He says: "The army started operations and we had to flee. Everybody, all of those who had a chance to flee did, because they were just arresting party members and they were torturing them and putting them in prison."

The leader of the party fled to the UK and claimed asylum. Sabir says: "Most of the upper level there, whoever found that chance, they left for other parts of the world as well. But many never even got a chance. They were either murdered or they were tortured." As soon as Sabir got the opportunity, he fled. He lives in fear of returning to Pakistan and facing any charges the government might bring against him, because Pakistan still uses capital punishment.

Sabir claimed asylum a month after arrival: "I was very scared because I don't know the rules, the regulations and laws". He met some party members and they advised him how to go about claiming asylum. It took four years for his claim to be refused. Sabir was detained when he went to report – he did not know his solicitor had not lodged an appeal against his refusal. He was detained in Tinsley House IRC for six months. Sabir was detained again in 2017 when he went to report, and spent a month in the Verne IRC. He was released on temporary admission both times.

The Pakistan government will not give Sabir a passport. He has a paper passport and identity card. After Sabir left Pakistan they started to use digital biometric technology; you had to be there for your biometric data to be captured. Consequently, he doesn't exist on their records. Sabir is fully refused and is investigating the option of a statelessness application.

Emmanuel's story

Emmanuel is 63 years old and from Tanzania. He left because of political issues. He says: "I was very big in the political party, in the opposition. And I think you know with the African countries, they take somebody who is not agreeing with their policies as being against them, as an enemy of the government. My colleagues – some of them were jailed, were taken and detained." Emmanuel tried to flee to Kenya. Kenya sent him back to Tanzania and he was detained.

Emmanuel arrived in the UK in February 2005. He did not claim asylum straight away – mostly because of fear of being sent back, especially after his experience when he tried to escape to Kenya. He claimed asylum in 2012 and was refused.

Emmanuel was detained on 21 May 2015 when he went to report at London Bridge. It was totally unexpected. He says: "I came to report and they said come here and I thought they are going interview me. Then I am given a letter, and they say now you are detained and they tell me they are taking me to the Verne." At the Verne IRC, Emmanuel was given a removal order back to his country. He was taken to Heathrow, but refused at the airport to go back. He was then taken to Colnbrook IRC. Emmanuel was detained for four months and released on temporary admission.

Emmanuel has submitted a fresh claim. He does not have a passport or any other nationality documents.

2 Research aim, objectives and methodology

The aim of the research was to provide a portrait of the humanitarian impact of immigration detention on people who are detained at some point in the asylum system.

The objectives of the research were to:

- a. Explore from the viewpoint of people detained at some point in the asylum process:
 - > their experience of being detained
 - > their experience of life in detention
 - > what life is like after detention.
- b. Explore the major detention-related issues seen by British Red Cross caseworkers.
- c. Outline options for reform.

This study employed a mixed-methods design, including:

- > A desk review of existing literature and available quantitative data, and the submission of two freedom of information requests.
- > Semi-structured interviews with 26 British Red Cross service users who were detained at some point in the asylum system. No interviews were conducted with people currently in detention.
- > Semi-structured interviews with six British Red Cross refugee support staff members who work with service users who have been detained or who are liable to detention.
- > Three mini case studies on interventions that provide support to people post-detention.

The names of all participants have been changed and none of the photos in the report are of actual participants.



3 Findings

The 26 British Red Cross service users interviewed comprised 12 females and 14 males ranging in age from 22 to 63 years. The 26 originate from 17 countries: four from Nigeria; three from Sudan; two each from Afghanistan, Ghana, Kenya and Somalia; and one each from Bangladesh, Eritrea, Ethiopia, Iran, Pakistan, South Sudan, Sri Lanka, Tanzania, Trinidad and Tobago, Uganda and Venezuela. Seven of the 26 have been in the UK for less than five years; ten have been in the UK for between five and ten years; and nine have been in the UK for more than ten years.

Individual stories for each of the 26 participants can be found on pages 12, 18, 21, 23, 29, 35, 39 and 42 and in Appendix A. The stories include details on why they left their country of origin; when they claimed asylum in the UK; how many times, where and for how long they were detained; and how they were released from detention.

The six British Red Cross staff members are from the Glasgow, Leeds, Leicester, London, Nottingham and Derby, and Portsmouth refugee support services.

The three mini case studies (see Appendix B, C and D) are:

- > The Leeds Unity Centre, which offers assistance with the reporting process and can support those who are re-detained.
- > The Life After Detention (LAD) group run by Scottish Detainee Visitors.
- > The British Red Cross clothing support pilot project at the Verne IRC, which provided immediate, practical support on release from detention.

3.1 Being detained

3.1.1 Service user views

In 2017, the Centre for Mental Health undertook a mental health needs analysis for IRCs in England (Durcan et al. 2017). It reported that the point and manner in which some people in the inquiry were detained was described as traumatising. This was particularly the case for those who had been in the community prior to detention. Some reported early morning “raids” and being made to feel like a criminal. Others described being “seized” without forewarning when they went to report. Reporting involves regular, mandatory attendance at an immigration reporting centre until people have permission to stay in the UK.

These findings are echoed in our research. While some of the service users we interviewed were detained on arrival in the UK or during a raid, the majority were detained when they went to report. The service users spoke of being totally unprepared – both practically and mentally – when they were detained when reporting.

The point they detain you is worse than going to prison. If you do a crime, police arrest you and you expect a punishment. The case develops, it goes to court and you are told how many months you're going to be in prison for. You are mentally prepared; you arrange your things, work and stuff. For the detention, it's the sudden shock and attack. (Sabir, Pakistan)

They detain you with nothing, because you don't go to report with your suitcase. (Carmen, Venezuela)

They are not only unprepared; they are also treated like criminals:

At first, I was handcuffed. They said maybe I am going to run away; so they handcuffed me and they put me in a small van, and I stayed there like one hour. Then they transferred me to the police cell. I had none of my things with me. I lost them. Even up to now, I lost all of them. (Gabriel, South Sudan)

They're not telling you bring your stuff with you, because today we are taking you to detention. No, because you just go there and they say, "You have a small interview". So you sit there, and there will be the two cops coming with security guards as well – three, four. And they will handcuff you. (Sadeed, Afghanistan)

One of the female service users, Faith, reported that the situation would have been better if they had told her where they were taking her:

You're just being put in a van; it's dark, you can't see. And then you just arrive somewhere; there's just gate, gate, gate, officers taking you. It's surreal, you feel like you're a criminal and for me I kept on thinking, "Oh my, what have I done that's so bad, that we're being treated like this". (Faith, Kenya)

Not knowing what was happening was particularly traumatic for Faith, as it made her re-live being a victim of FGM:

For me it was bad because, when I went through FGM, we were taken in the middle of the night. Taken to this person's house and then we had it done there. So it was so bad. You think every time you get in a van or a vehicle in the middle of the night, and you don't know where you're going, something bad is going to happen. (Faith, Kenya)

Fourteen of the 26 service users have been detained once, 11 twice, and one female service user has been detained four times. Thirteen of the service users were kept in one detention centre during their spell(s) of detention. The remaining 13 were moved a number of times, with one service user being in eight detention centres during his first spell and six during his second.

3.1.2 Red Cross staff views

Red Cross staff also reported the problems associated with people being detained unexpectedly:

We have had people that have been detained when they went to report, and we had to take their luggage because they are being moved to England. So there has been a caseworker going into their house, getting their stuff and getting it to them, because there is no other way. (Red Cross staff member Glasgow)

The Red Cross refugee support service is used to having clients who are destitute and 'sofa surfing', often moving between cities. As a result, staff do not always know if someone has been detained:

If someone doesn't turn up at the Red Cross, you don't know if they've been detained or been moved to another city.

(Red Cross staff member Leicester)

It can be days before Red Cross staff know that someone has been detained:

So people report on a Tuesday and by the time we'd find out is when it's our drop-in on a Thursday. By then they could have been moved on. We don't know where they could be. Even for us to contact a solicitor or get a group that goes into detention to meet with them, it could take at least a week to find out where the asylum seeker is.

(Red Cross staff member Portsmouth)

Service users can be detained far away:

Haslar was closed. People can be taken to the Verne, which is quite far. Obviously, if it's women, they would go to Yarl's Wood. It's very far from where we are.

(Red Cross staff member Portsmouth)

The Glasgow staff member reported that people detained in Scotland will often be moved to England, particularly when the Home Office is trying to deport them. People are then cut off from support networks, including the Glasgow Red Cross, and their lawyer. It also makes it difficult for friends and family to visit them and, if they don't have money to top up their phone, they can't even call family or friends.

Asim's story

Asim is 31 years old and came to the UK from Sudan. He left because of the war – he was imprisoned and tortured in Sudan. Asim arrived in Dover in 2014 and was sent back to Italy. He arrived here again in May 2017 and claimed asylum on arrival. Asim was detained immediately and was in detention for 50 days before being released on temporary admission. Asim has had no decision on his original claim as yet. He has no nationality documents.

3.2 Life in detention

3.2.1 Contact with the world outside

According to Detention Services Order (DSO) 08/2012 (Home Office 2012: 4), whilst held in a centre, detainees are allowed to have a mobile phone in their possession if it is without:

- > recording facilities, i.e. the ability to take photographs, video, livestreaming or audio recording; and
- > facilities to connect to the internet.

DSO 08/2012 states that, if the detainee's personal mobile phone does not comply with the restrictions, or if the detainee does not own a mobile phone, the centre must provide the detainee with a mobile phone handset. The phone they are given only allows them to make and receive calls and send and receive text messages. Detainees should be able to retain their own SIM card if it is compatible with their new centre-issued mobile phone.

All 26 service users we interviewed reported having their mobile phone confiscated by the IRC and replaced with a basic phone. For a number of them, their personal mobile phone utilised a micro-SIM, which did not work in the basic phone. They then had no contact numbers for their family, friends, lawyer and any agencies they were working with.

Our interviewees reported that the phone is also the centre's way to contact the detainee:

So if you have an appointment, if you have any meeting, they text you. The phone is their way of communicating with you. (Faith, Kenya)

Mobile phone signal can be an issue and this was mentioned often by those who were detained at the Verne. Lack of money to top up their phone is also a problem.

All the IRCs have computers. The service users we interviewed reported having to queue to use a computer and being given only a limited amount of time to access the internet. This allows them to access email, but there is no access to social media. This can make it very difficult to keep in contact with friends and family in both the UK and their country of origin.

The All Party Parliamentary Group on Refugees and the All Party Parliamentary Group on Migration inquiry (APPG on Refugees and APPG on Migration 2015) called for fewer restrictions on internet access in IRCs. They recommended that detainees should be allowed to access social media and that filtering should be akin to the parental controls used in households across the country. The HM Chief Inspector of Prisons (HM Inspectorate of Prisons 2017b) report on an unannounced inspection of Yarl's Wood makes a recommendation to the Immigration Minister that, subject to risk assessment, detainees should have access to video calling and social media.

3.2.2 Visitors and friends

Only four of the 26 service users we interviewed had a visit from family or friends while they were detained. In two of these cases, they had only one visit. As people are often detained far away from family and friends, visits can be expensive:

My family is far away, they are living in Leeds. I was in the Verne, so this was far away to come down to meet me. So I was 20 months with no meeting, with no visiting, nothing. Just hold, hold, hold on. (Ameen, Iran)

If people want to visit someone in an IRC, they need photo ID (passport or driving licence) and a utility bill showing their name and address. Not everyone has these:

Some people are not allowed to go and visit. If you don't have proper documents, you're not allowed to go and visit. (Gabriel, South Sudan)

Six of the service users mentioned being visited by visitor's groups, including Gatwick Detainee Welfare Group and Scottish Detainee Visitors.

Only five of the 26 service users mentioned that they made friends while in detention. One noted that he did not want to see them after his release, as they remind him of being in detention:

You make friends there. As soon as you get out of there [detention], you don't want to see them no more, because it reminds you of the time where you were before. (Ameen, Iran)

In contrast, one of the female service users noted that, after release, she feels she can only speak to a friend who was detained with her:

The girl I was with in Colnbrook we're still friends. When you talk to other people, they don't understand; they don't get it. It's just words. Someone would not get it, because they say, "Oh, but you had access to email, you had a phone, then you must have been okay". You're thinking you're still not okay. That's what I'm saying, unless you go through it, it's hard to understand. It's one of those things, unless you go through it you wouldn't get it. (Faith, Kenya)

3.2.3 Keeping busy

Most of the 26 service users we interviewed reported that in detention they had access to English classes, a gym and other activities. However, it is hard to learn in that environment:

You have problems. How can you learn? You cannot. (Farid, Sudan)

A number reported that they could not face getting involved in any activities:

I was doing nothing, just inside the room. I was thinking all the day, all the hours thinking about my situation. (Asim, Sudan)

Yes, a gym was there, and yes, classes. But I was too depressed; I never be going to there. I will be in my room all the time. Any time, they can just come and they'll find me in my room, in my bed. (Sadeed, Afghanistan)

Seven of the 26 service users worked while in detention, including working in the kitchen, serving food in the canteen and cleaning. For all of them, it was more about keeping busy than the small amount of money – generally as little as £1 an hour – that they were paid:

It keeps you busy and gives you a little bit of time not thinking about things. (Ahmed, Sudan)

You work just to get out of the stress, to do something for three or four hours; I didn't do it for the money. (Gabriel, South Sudan)

Grace's story

Grace is 27 years old and is from the Oromia region in Ethiopia. The Oromo people make up about 40 per cent of Ethiopia's population, yet face widespread discrimination and have long been targeted by the government. Grace was caught up in the Oromo protests and needed to leave Ethiopia.

Grace was brought to the UK in September 2013 to work for someone: "I come for housemaid, for work, but that woman treat me very, very badly". The woman would also take Grace to other homes to do cleaning. Grace was never paid anything. If she complained about her treatment, she was threatened with being sent back home.

After two months, Grace ran away. On a bus she saw someone who she thought might be Ethiopian. It turned out he was Somalian, but he did speak Arabic. She asked him to take her to a police station. He said he would, but instead took Grace to his home. His wife was pregnant and he has three children, one of whom has a mental health condition. Grace was forced to work for him for three months before she ran away in February 2014.

This time someone helped Grace find a bus to get her to the Home Office in London; the bus driver told her where to get off. Grace claimed asylum and was dispersed to Glasgow. Her claim was refused and her appeal dismissed. Grace was detained in August 2016 when she went to report. She was detained for four weeks in Dungavel IRC and released on temporary admission. She is fully refused, but hopes to be able to make a fresh claim. Grace has no nationality documents.

3.2.4 Access to legal assistance

All 26 service users reported having access to legal assistance while in detention. Fifteen of the 26 were assisted by a solicitor from one of the legal aid firms visiting the removal centre, but a number mentioned that it was not easy to get assistance:

It was hard to get a lawyer because a lawyer has to be sure of the case. If not, they're not going to agree and they can't give you the legal aid. (Gabriel, South Sudan)

Five of the 26 service users managed to retain the solicitor they had before being detained. A further five reported that no one would take their case as they did not qualify for legal aid. They would need to be able to pay the legal fees.

3.2.5 Access to healthcare

All the service users we interviewed reported having access to a GP while in detention. The BMA report, published in December 2017, states that the language differences and cultural issues found within the detained population can inhibit access to healthcare and make consultations far more complex (BMA 2017). The service users we interviewed also reported language barriers and a lack of translators as problems they encountered. A number of them resorted to taking a detainee who could speak English with them to medical appointments.

A number of the service users we interviewed reported that having access to medication is an issue. Detainees are not allowed to keep medication with them, but instead they have to report to the dispensary every time they need to take it. This was frustrating for those who need to take medication as often as three times a day, since they had to queue each time. Other problems reported included medication not arriving at the IRC, and the IRC medical staff not contacting the detainee's own GP about the medication they normally take.

Whilst in detention, sometimes I could go without my medication for days, for weeks. To access your medication, it's so difficult. Sometimes they tell you the medication hasn't arrived; the medication's not in. Somebody hasn't signed, so they haven't gone for the medication yet. And they give you so many excuses. (Kareem, Ghana)

One of the service users suffered from severe panic attacks while in detention. If he needed medication at night, there was no doctor to give it to him:

Like in the night while I sleep, I'm having a bad dream. And my heart was beating so fast and I felt like I'm dying. I press the buzzer and the nurse come and say, "I'm not allowed to give you anything, the doctor has to give you; I'm only nurse". (Aamir, Afghanistan)

3.2.6 Mental health while in detention

As part of the Shaw Review, Professor Mary Bosworth conducted a systematic review of studies investigating the impact of detention on the mental health of immigration detainees (Shaw 2016: Appendix 5). Professor Bosworth identified some 30 clinical studies from Australia, Canada, France, Japan, UK and USA. Professor Bosworth reports some consistent findings across these international studies:

- > Immigration detention has a negative impact on mental health.
- > The longer someone spends in detention, the more negative an impact it has upon their mental health.
- > Depression, anxiety and post-traumatic stress disorder (PTSD) are the most common mental health problems.
- > The causes of poor mental health are longer duration of detention, pre-existing trauma, pre-existing mental health or physical problems, and poor health care provision.
- > The worst outcomes are for victims of torture, and women are a particularly vulnerable group.
- > The negative impact on mental health persists long after detention.

The single UK study cited by Bosworth was a pilot study including immigration detainees (n=67), other detainees (n=30) and asylum seekers in the community (n=49). Higher levels of anxiety, depression and PTSD were found in the detained immigrant sample and this was associated with longer duration of detention and/or a history of trauma. The study showed that the critical point for a negative impact on mental health was at 30 days (Robjant et al. 2009).

All 26 service users we interviewed spoke of the toll taken by detention on their mental health, for example:

It's a place where they shouldn't keep people, because you might go in there mentally okay, but by the time you leave, you're not mentally fine. It's really not a good place to be in.
(Aniso, Somalia)

Eight of the 26 talked about not being able to sleep. For some, their stress and anxiety kept them awake:

I couldn't sleep – just thinking, and having bad dreams, and having panic attacks. It was so hard, you know. Mentally it's hard.
(Aamir, Afghanistan)

Others found it impossible to sleep because of the noise and spoke of the toll that lack of sleep took on them mentally. The HM Chief Inspector of Prisons (HM Inspectorate of Prisons 2017b) unannounced inspection of Yarl's Wood reports that half the detainees in their survey said the centre was not sufficiently quiet at night to allow sleeping. Detainees complained about other detainees singing or talking, of banging doors and of officers' feet and keys. This rings true for other centres. One of the service users we interviewed, Ameen, who was detained in the Verne, reported:

In detention, it's never quiet. People are shouting, banging the door, shouting in the corridor. You can't sleep. (Ameen, Iran)

Four of the service users we interviewed were diagnosed with mental health issues while in detention and given medication. Adwin (Ghana) spent most of his time in detention trying to help others. With one Master's degree already under his belt and busy with a second, he put his talents to work helping others with their legal paperwork. It ended up making detention feel like "a kind of double punishment", as he was suffering himself, but trying his best to be there for others:

I had that burden and load... So I was diagnosed with mental health issues and I was on heavy medication. (Adwin, Ghana)

Two of the service users witnessed others trying to commit suicide:

I just want to say that the Home Office must realise the psychological effect of the detention. When I was in detention the first time, I saw people try to kill themselves. One drank the bleach and one cut his wrists. I know that if the Home Office keeps them for more time, they will not become a normal person. Home Office think that they are detaining somebody physically, but they must think about the psychological impact.
(Sabir, Pakistan)

Four of the service users we interviewed considered suicide:

When I was detained the first time, I was thinking to kill myself as well and then slowly, slowly this idea was becoming mature. It's the constant pressure and fear on your mind. It wasn't bearable. It's very, very hard. So you just think, okay, this is unacceptable. It's 24-hour pain, so I have to kill myself.
(Sabir, Pakistan)

Five of the 26 service users actually attempted suicide, with Ahmed (Sudan) making two attempts. Sabiti (Uganda) was a victim of sexual violence in Uganda and realised while in detention that she was pregnant. She was heavily pregnant when she decided to kill herself. She needed a way to commit suicide, so under the guise of knitting something for the baby, she knitted a rope:

So, even though I was pregnant, I just thought this is enough for me, and instead of living this type of life, I'll just have to end my life. I just thought, "I cannot do this". (Sabiti, Uganda)

Two of the service users we interviewed were put on constant watch (under lock-up) after attempting suicide. Aamir (Afghanistan) was put on constant watch after trying to jump off the roof of Dungavel IRC. The BMA (BMA 2017) states that segregation units should not be used routinely as a way of managing individuals at risk of suicide or self-harm, or those experiencing a serious mental health crisis.

The Royal College of Psychiatrists' position statement on detention of people with mental disorders in IRCs states that, clinically, it is unsurprising that the prevalence of mental illness is high in immigration detainees, who are likely to have experienced stressful life events that probably acted as predisposing factors

to their mental illness (RCP 2015). It believes that detention centres are likely to precipitate a significant deterioration of mental health in the majority of cases, greatly increasing both the suffering of the individual and the risk of suicide and self-harm (RCP 2015).

The Centre for Mental Health rapid mental health needs analysis of IRCs in England (Durcan et al. 2017) was commissioned in response to Stephen Shaw's original review. The report states that most of the detainees they interviewed had experienced some form of trauma in their life before detention – the effects of which could be exacerbated in detention. It reports that IRC staff observed how people's wellbeing deteriorated while in detention. The Centre for Mental Health states that, despite an expressed desire from NHS England and the Home Office that vulnerable people should not be detained, there is no clinical screening in place to detect vulnerability before deciding to detain an individual. It recommends that IRCs have a standardised approach to mental health screening.

3.2.7 Access to mental health services

Twenty-five of the 26 service users we interviewed reported that they had no access to mental health services while in detention:

No, there wasn't mental health services at all. And I was asking for it, because I was taking my tablets [antidepressants], but I need someone to talk to. I just want to talk, someone to hear me. (Ahmed, Sudan)

The remaining service user, Aamir (Afghanistan), saw a psychologist every week after he tried to commit suicide. Aamir got to the point where he was banging his head against the wall before they got him an appointment with the psychologist. Aamir had to be hospitalised twice with severe panic attacks.

The Centre for Mental Health inquiry (Durcan et al. 2017) states that all IRC mental health services need to make improvements towards becoming genuinely psychologically informed services. It reports that most services currently focus more on the medical aspects of mental health care, despite the bulk of need being for talking therapies and improvement or maintenance of wellbeing. The report states that opportunities for detainees to manage and express their feelings are very important and need expansion across IRCs.

Because of Detention

(A poem written by the Scottish Detainee Visitors Life After Detention group, based on their experiences of detention)

Because of detention I have lost my way forever

Because of detention I experienced fear, disrespect, feeling absolutely hopeless, pressure, sadness, sickness and some kind of disability that I never had felt in all my life

Because of detention I was always waiting, waiting, waiting...

Because in detention male officers came and looked at us at night, I can't sleep, I'm scared

Because of detention my future is broken

Because of detention my family is broken. My relationship didn't survive and now I only see my son twice a month

Because of detention I am a nervous wreck, terrified of the authorities

Because of detention my life changed. Not knowing when I would get out took away my mental health, my confidence, my hope

Because of detention I lost all my belongings, including the only photos I had of my late father

Because of detention, I am sick; really, really sick. I am not who I was three years ago.

Because of detention I was constantly reminded of the torture in prison in my own country.

Because of detention I can't sleep for a week before signing at the Home Office in Glasgow

Because of detention I lost my dignity

Because detention has no time limit, the uncertainty really gets to you

Because of detention I am always terrified of being detained again

3.2.8 Living in uncertainty

The Centre for Mental Health inquiry (Durcan et al. 2017) reported that the level of uncertainty about their future, compounded by poor communication, contributed to poor mental wellbeing among detainees. This was echoed by the service users we interviewed:

You don't know anything when you're in detention, it's a life of uncertainty. Anything can happen. (Adele, Nigeria)

The service users we interviewed reported that there are two aspects to living in uncertainty. The first is not knowing if they will be returned to their country of origin:

It affects you mentally, because you don't know what will be happening tomorrow. You can be taken back. You have to be tough, otherwise you can go mad. (Emmanuel, Tanzania)

You don't know what's going to happen to you. You're scared of being taken back to where you come from, because where you come from you can't go back there, especially if you've been in the country for years. Like me, I've lived here [in the UK] all my life; 27 years in this country. I was 14 when I came to the UK, so you expect me to go back? To be on the street again? I don't know. It's horrible. (Lera, Nigeria)

When in Harmondsworth, Aamir (Afghanistan) could hear the planes from Heathrow airport flying over:

It would remind you that one day you could be on that. I didn't want to go outside; I didn't want to hear those plane noises. So most of the time, I was always in bed, just lying in bed. (Aamir, Afghanistan)

The other aspect of this life of uncertainty is the fact that, as there is no time limit on detention; detainees have no idea when it will end:

It's horrible not knowing when it will end. You are just there sitting, waking up and eating and there's nothing; it's like your whole life has just stopped. (Sabiti, Uganda)

Yes, it's better to know when you will be out. That not knowing gives you more torture. It's like a mental torture.... You are tortured mentally. So when you come from there

[detention] you are useless. When you come outside you are useless. When I came from there, I couldn't even sit and read a paper. (Emmanuel, Tanzania)

3.2.9 Feeling like a criminal

The All Party Parliamentary Group on Refugees and the All Party Parliamentary Group on Migration report (APPG on Refugees and APPG on Migration 2015) states that IRCs should not be prisons and recommended that detainees are held only in suitable accommodation that is conducive to an open and relaxed regime. Despite this, in the Centre for Mental Health inquiry (Durcan et al. 2017), detainees reported that the loss of liberty and being part of a prison-like regime posed challenges to their mental wellbeing.

Many of the service users we interviewed reported being treated like a criminal:

When you leave your home country, you take a difficult risk and you come here and you find yourself in this situation. Your hope was, let me go and get a safe space to live. But you end up in detention and you are treated like a criminal. So, you ask yourself, what have you done wrong? (Gabriel, South Sudan)

The majority of the 26 service users we interviewed stated that detention is no different to a prison. Detainees are surrounded by high walls, they are constantly supervised, and they are locked up for a good part of the day.

You feel like you are in prison. We got locked up by nine o'clock and they open the cell by eight o'clock in the morning. Locked up here like a prisoner. (Ahmed, Sudan)

At eight o'clock at night, they were closing the door and opening at eight o'clock in the morning. I was thinking it's like being in prison – without freedom, definitely. (Asim, Sudan)

When they take us to detention centre, it looks like a jail, nothing different – it's a jail. You are locked between meals and at night. So how do they say it's not a jail? I don't understand. It's a jail. (Sadeed, Afghanistan)

The 2016–2017 annual report from HM Chief Inspectorate of Prisons for England and Wales (HM Inspectorate of Prisons 2017a) highlights

that detainees are held in prison-like conditions at Brook House, Colnbrook and Morton Hall. The report states that the residential units at Brook House and Colnbrook are indistinguishable from prison units, and that their lack of ventilation (they are sealed and air-conditioned) is problematic. The report states that the fact that detainees cannot open a window in their cells and are still locked in for extended periods clearly affected their sense of wellbeing. This feeling was echoed by one of the service users we interviewed who was detained in Colnbrook:

The Verne it was very difficult. Though, in the Verne, you have got the fresh air. There is a breeze, you can get a breeze, but not there in Colnbrook. (Emmanuel, Tanzania)

Some of the 26 service users we interviewed felt that prison would be a better option than detention:

You see a prison and a detention centre is quite different. A prison, at least you know you have got your freedom. You know that you committed an offence, but you know you will get out. (Emmanuel, Tanzania)

This is the difference between prison and detention. In prison, you don't have the fear of deportation and you have a fixed date. So you are counting down, okay, one month is gone, three months remains. In detention, you never know – maybe one year, maybe longer, maybe they deport you. You don't have the certainty. You don't know what's going to happen. (Sabir, Pakistan)

In the UK, non-citizens from outside Europe who have been sentenced to more than 12 months' custody in England and Wales, and European Economic Area nationals sentenced to more than 24 months, are subject to mandatory removal. This means that, after serving their criminal sentences, foreign national offenders (FNOs) are transferred immediately to an immigration detention facility to be detained pending deportation. This change may be in name only; in certain cases, the detainee does not actually go anywhere, but responsibility shifts from HM Prison Service to UK Visas and Immigration. Three of the service users we interviewed mentioned that they were afraid of being detained with FNOs who had committed often quite serious crimes.

There's people coming from jails. They have been sentenced for real crime. People like us don't know anything about these people or this kind of thing; we have only had our asylum cases refused or visa problems. You have to share a room and you can't choose who you share it with. (Sadeed, Afghanistan)

Six of the 26 service users described how being handcuffed made them feel like criminals. Two were handcuffed when they were detained and two reported being handcuffed when they were taken to the airport to attempt deportation. Farid was taken to the Sudanese embassy in handcuffs to try and re-document him:

Yes, they took me to Sudan embassy like I do something wrong – they make me wear handcuffs. (Farid, Sudan)

Emmanuel (Tanzania) suffers from hypertension. When he was in Colnbrook, he was taken in handcuffs to a doctor outside the centre:

How do you take somebody to the GP when he's in chains? They took me handcuffed. How do you take someone to the GP like that? (Emmanuel, Tanzania)

3.2.10 How you cope

We asked the service users we interviewed what kept them strong and helped them cope while they were in detention. For seven of them, their faith kept them going:

Yes, my faith kept me going. But sometimes I was crying, I just couldn't stand it. (Adele, Nigeria)

Five of the 26 said that nothing kept them going:

Since the first time I went inside there, I just gave up. Yes, literally, I gave up on life. (Ahmed, Sudan)

For three, the only way to keep going was to tell themselves to stay strong:

You have to be strong, otherwise you go crazy. I seen a lot of people there is become crazy. (Farid, Sudan)

3.2.11 Getting released

The shortest spell in detention for the 26 service users we interviewed was ten days and the longest was two years and seven months.

Most of the 26 service users were released on temporary admission. Five were released because of a Rule 35 report. Notably, for two of the five it was their second time in detention; for one it was her fourth time; and one was released because of a Rule 35 report the first time, but

was still detained a second time. Rule 35 is the mechanism to make Home Office caseworkers aware of those detainees whose health is likely to be worsened by their detention (or continued detention), those who have suicidal ideations, and those who have been a victim of torture (Home Office 2016b). Rule 35 reports are completed by medical practitioners.

Aamir's story

Aamir is 23 years old and came to the UK from Afghanistan in 2010. He left because of the war there. Aamir's brother and father were killed by the Taliban, and he was captured by the Taliban. His journey to the UK took around six months: "It was my first time to leave our village. When we stopped on the journey, we were not allowed to go out and we were always under the control of the agent". Aamir claimed asylum on arrival in 2010 and was detained; he was 16 years old at the time. He was taken to Harmondsworth Immigration Removal Centre (IRC) in London for 45 days and was released on temporary admission.

Aamir's age was disputed, and his asylum claim was refused and his appeal dismissed. The Home Office still disputes his age. The British Red Cross is trying to trace his family. He says: "I am thinking about them a lot and I miss them a lot; it hurts. They lost me and I lost them. I worry about them; they will be worried about me." Aamir hopes to put in a fresh claim.

After Aamir's first detention he stopped reporting after a while: "I get so scared and I say, 'What if they send me back?' Hearing like different people telling me anything can happen and they can deport me. And then I just left the signing and everything".

Aamir went to live in a house with some other Afghans. He found a job and met his partner Sue; they used to work together. Aamir went to work somewhere else in 2016 and was picked up there in June 2016. He spent the night at the police station in Manchester before being taken to Dungavel IRC for a month. After that, he spent one night in Harmondsworth IRC, before being moved to Colnbrook IRC, and then back to Harmondsworth IRC.

The Home Office tried to deport Aamir three times: "They put handcuffs on my hands and there were four or five people." On one occasion he was taken to the airport when his partner was there to visit him. She was in reception when Aamir was called to the office and told he had a ticket. The door was locked and four escorts arrived: "And then they pick me up and put me in a van and then they take me to the airport and she [his partner] come up with me to the airport". His partner pleaded with the airline not to take Aamir. The pilot refused to take him and Aamir was taken back to detention. Aamir was detained for almost eight months the second time, and this time he was released on a Rule 35.

Aamir has no nationality documents and cannot contact his family in Afghanistan to obtain documents.

3.3 Life after detention

3.3.1 Asylum support

Currently, the asylum support system allows for Section 95 support for asylum seekers and their dependents whose claims are ongoing, and who are destitute or about to become destitute. Section 95 consists of accommodation and £36.95 per week per person. This will increase to £37.75 per week from 5 February 2018 (Home Office 2017d).

Once the person's asylum claim has been fully determined, people granted refugee status, humanitarian protection, or discretionary leave to remain will have their support terminated 28 days after the decision. If an asylum seeker's claim is fully refused and there are dependent children in the household at that time, they currently continue to receive Section 95 support. An asylum seeker who has no dependent children at the time of a final refusal decision will have their support terminated 21 days after the decision. Currently, they may be eligible for Section 4 support, which consists of accommodation and £35.39 a week (Asylum Support Appeals Project 2016).

Two of the 26 service users we interviewed have been granted status and, therefore, have access to mainstream benefits. Fourteen of the remaining 24 are not on asylum support and rely on charities and friends.

Emmanuel (Tanzania) is not on support and stays with a friend. At the age of 63, it is hard not having his own home:

When you have got your own home, you have got your own freedom. You can do what you like. For me, age is coming.
(Emmanuel, Tanzania)

Faith (Kenya) is also not on support and is staying with a friend:

And it's hard; it's hard to rely on friends to help you. I'm a woman; I need personal things.
(Faith, Kenya)

Charities are the major source of support for those who are not on asylum support:

Red Cross, I get most of my support from, the food I live on, and all those things. It's the Red Cross. Seriously, there's no week that I don't come here to come and have food to eat and maybe take some away. If not for the help

we are getting from here, I don't know how some of us would have survived. It's so hard.
(Kareem, Ghana)

David (Kenya) was referred to the Winter Shelter by the Red Cross:

Homeless people can live there for three months. You don't sleep in one shelter – you are in Camden, you are in Hackney. If you are not there by six you lose your bed. You have to be out by seven in the morning. (David, Kenya)

Not being on asylum support has taken its toll on David:

Mental health deteriorates, I am homeless; I have got so many health issues. How are you going to survive, buy food, pay rent, if you cannot work? (David, Kenya)

Of the remaining ten service users, seven are on Section 4 support and three on Section 95 support. Two were on Section 4 support when they were detained. When they were released, they found their support had been stopped and they had an uphill battle to get back onto support:

I was on support when I was taken back to detention. And when I came out, it had been taken away from me. I had to start all over again. (Adwin, Ghana)

Grace (Ethiopia) was released from Dungavel and found her asylum support had been stopped. She was homeless for three months before getting back onto Section 4 support. The Glasgow Red Cross found her temporary accommodation and she relied on charities for clothes and food.

All six Red Cross staff members reported the problem of people being released from detention without asylum support:

We have had people coming to the Red Cross who have been detained and they are now destitute. They have to almost start from scratch after a long-term detention, and that's very difficult for them, because you have to find a lawyer, you have to find a place to stay, you have no money for food.
(Red Cross staff member Glasgow)

People face homelessness or the threat of doing things you don't want to do just to earn money.
(Red Cross staff member Portsmouth)

3.3.2 Reporting

Until people have permission to stay in the UK, they may be required to attend regular appointments at an immigration reporting centre. People generally have a one- or two-hour window in which they report. If they fail to notify the Home Office that they will be late, or don't attend on their assigned day (and lack sufficient evidence to explain why), then they are at risk of losing any support they are entitled to and being detained.

Service user views

Two of the 26 service users we interviewed have status and do not have to report. Seventeen of the remaining 24 are currently reporting. Two report weekly – one of them has been reporting weekly for the past four years. Five of them are reporting every two weeks and eight of them report monthly. One has been reporting every month for the past nine years.

Of the remaining seven who are not currently reporting, four are not reporting as they don't yet have a reporting schedule. Two do not report currently as they have a letter from either their doctor or therapist saying that reporting is too traumatic and damaging for them. The remaining service user admits she has stopped reporting because she is scared of being detained again:

Detention life is hell; I won't return back to that detention again. (Faven, Eritrea)

The fear of reporting, in case they are detained again, colours their life:

I feel numbness because you never know if they will take you again. I hope they is not going to detain me, because I don't want to be back there. So it makes me to be scared a lot when I'm going to report, I don't want to be a victim of going back to detention. (Cerena, Nigeria)

You're scared to report. Yes, you are scared they are going to take you again. You never know, you never know. (Farid, Sudan)

I am very nervous to go for sign, and if I have to go for sign I will be very anxious and nervous and fearful for the three days before. (Roshan, Sri Lanka)

Ahmed (Sudan) lives in Leicester and reports in Loughborough:

The way I would see Loughborough, the reporting centre, I'm seeing it like hell to be honest. As soon as I go there, my mood changes. I'd rather go to Sudan and they kill me there, rather than go to Loughborough. (Ahmed, Sudan)

The only reason Ahmed continues to report is his fear that his family will be affected if he stops complying.

Three of the 26 service users were released from detention only to find that all their belongings had gone. Gabriel (South Sudan) is worried about that every time he goes to report:

You are not sure if you're coming back [from reporting], because any time they can arrest you and take you back to detention. So, every two weeks you have to pack your bag and get ready. You call your friend and say, please take care of my things, or you lose them all. (Gabriel, South Sudan)

Two of the Glasgow service users we interviewed find reporting so distressing that they are accompanied by Red Cross staff or volunteers when they go to report.

Since 14 of the 26 service users we interviewed are not on asylum support, finding money to travel to the reporting centre is a problem:

I am destitute. I cannot even afford to go to report. It is a struggle for me to get the bus fare, but I make sure I go there every two weeks. (David, Kenya)

Sometimes I don't even have the money, so I cannot travel to where I report. And if you don't go, they take you. They say you have absconded. (Kareem, Ghana)

I've been reporting since 2011. I don't know why they still want me to keep reporting. I'm not running away. They know where I live. Sometimes I find it difficult to get money for transport to London Bridge. (Lera, Nigeria)

Red Cross staff views

Four of the Red Cross staff members spoke of the distress suffered when people have to report:

Many of my clients have that experience of being detained at reporting, which has induced that fear that anything can happen. No matter how many times they have gone for reporting without being detained, that fear will never go away; it will stay there with them.

(Red Cross staff member Glasgow)

For people who have been detained before, reporting is scary. Very scary. It's petrifying, petrifying, because you're going there, and you're just thinking, "Wow, when I reach the window, that's it. My freedom's gone". It's just petrifying, and if you don't go, there's going to be a problem.

(Red Cross staff member Portsmouth)

Staff and volunteers from the Glasgow Red Cross refugee support service will accompany those who are very distressed by reporting, when capacity allows.

Red Cross staff report that it is not just people who were detained previously that are scared to report. Hearing stories about other people being detained when reporting is enough to instil fear:

Some are scared because they have heard stories from other people. The intense fear is when there is a past experience of detention attached, but there is still some level of fear if they have heard stories about people going to report and being detained.

(Red Cross staff member Glasgow)

There is huge fear, huge fear around reporting. At the moment, one of our volunteers is detained and she was also a volunteer in another charity, and everybody knows her.

Some of our other clients are very concerned about it. In their minds, because it happened to her, it shows that it can happen to anybody.

(Red Cross staff member Leicester)

Five of the staff members spoke of the logistical issues related to reporting. People often have to report very far away. For example, reporting for people in Portsmouth has moved to Fareham:

You can't walk from Portsmouth to Fareham – it's 7.3 miles away, on the other side of the motorway. (Red Cross staff member Portsmouth)

People from Leicester report in Loughborough, at the East Midlands Reporting Centre:

And that's, I would say, roughly an hour away for people to go there. You can't walk there. The bus from the City Centre takes around 45 minutes, but then a lot of people don't live in the city centre or the Home Office accommodation. So then they still have to walk or take another bus or buses.

(Red Cross staff member Leicester)

People from Nottingham and Derby also report in Loughborough:

It is far away. The process of enduring 40 minutes on a bus to go and report, with the potential that you could be detained, is extremely distressing. Particularly if you've gone through persecution and trauma and torture in the past. (Red Cross staff member Nottingham and Derby)

The Home Office will provide a bus ticket for those on asylum support, but only if they have to travel more than three miles as the crow flies. This is a problem for Glasgow service users:

People don't fly to the Home Office; they walk through the streets. So you can very easily see people who walk for more than an hour to report because they can't afford a bus ticket. It's even more difficult if you're walking with children and buggies. Or for people who are sick. We have tried to advocate about it – it's rubbish. (Red Cross staff member Glasgow)

The services in Glasgow, Leicester, and Nottingham and Derby can provide bus tickets to people not on support. Those who are on asylum support still need to get to the reporting centre the first time, when they will be given a bus ticket for their next reporting event:

The Home Office provides bus tickets for those who are on support, but they have to get there the first time to tap into that. Red Cross can provide a bus ticket for the first trip to Loughborough. (Red Cross staff member Nottingham and Derby)

In Portsmouth, people rely on friends and the charity Friends Without Borders:

The most vulnerable are the fully refused who are not on support. They have no money for transport and are often expected to report

weekly. They have also often been detained before, and don't want to go back there. They have to ask friends for money or Friends Without Borders will give them tickets. (Red Cross staff member Portsmouth)

3.3.3 Mental health after release

Service user views

The systematic review of studies (investigating the impact of detention on the mental health of immigration detainees) conducted by Professor Bosworth as part of the Shaw review identified some consistent findings (Shaw 2016: Appendix 5). One of these is that the negative impact on mental health persists long after detention.

This was borne out by the 26 service users we interviewed:

The most important impact of somebody's detention is the psychological. You cannot see it. Physical damage you can see – if somebody broke his hand or leg, you see it, you realise it. But psychological effects, you can't see. And after releasing you from the detention, the psychological effect remains for long, long time. (Sabir, Pakistan)

Twenty of the 26 service users spoke of continuing struggles with mental health issues:

The detention is a mental torture. You come from there and you are not normal. People who have been in detention, your mind is not proper. (Emmanuel, Tanzania)

When they released me, I wasn't able to cross the road, you know, at the zebra crossing. That's the huge impact on my mind. I went for counselling, six months to a private charity organisation and there she tell me the tricks how to like cope with these things. So with that counselling, I came out of these things, but imagine I wasn't able to cross the road. When I was released, when I come outside the detention centre, I felt that my soul had been taken out from my body. I found no energy, no power. (Sabir, Pakistan)

Aamir (Afghanistan) is seeing a psychologist once a week and is on medication. He still has difficulty sleeping:

Still the thinking when I'm all alone. I'm thinking of too much at night and it's too difficult to

sleep. At least I'm not in that place anymore and just thankful for that. (Aamir, Afghanistan)

Three of the 26 service users are still suicidal; two have considered suicide since release from detention and one has attempted suicide:

I'm actually feeling I want to kill myself, because I feel like this is not life. I've got no future. I've been signing on for almost five years. Nothing changing. They can take me back to detention anytime. I feel like I'm weak, nothing. I want to end my life. I'm only 24, but my brain is tired. I just want to stop. It's almost six years in the same circle, same thing, same thing, same thing. I've had enough. (Ahmed, Sudan)

I'm traumatised; I'm afraid most of the time. I have anxiety; I am depressed. Sometimes I don't go out; I just want to be by myself. Many times, I have just thought of finishing it because I've got tired of living. (Adele, Nigeria)

Detention has really affected me, and even now as I speak with you, I'm still going through the same things. The person I'm staying with, he has been very helpful. He's been there for me. If not for him, I don't know how and where I would have been now. I've tried several times to just do away with my life, because it's just too much for me. It's too much. (Kareem, Ghana)

Accessing mental health services is not easy. Carmen (Venezuela) started taking medication for depression when she was released from detention in January 2016. She also takes medication to help her sleep, because she still has terrible nightmares. Carmen knew she needed to see a counsellor, “because I couldn't handle myself”. She found a counsellor online, through Beyond Borders Totnes, who saw her for one hour every week for free.

The counsellor said not many people say I need help. But I was desperate and really telling people, “I need help, I need help, I need help”. Because I understood that I needed it. If I didn't take it, I would do something wrong. I would go to prostitution; I would go to drugs. (Carmen, Venezuela)

One of the service users, Adwin, ended up being sectioned in a mental health facility both times after he was released from detention:

I think, when I came out, all of a sudden everybody thought he's fine. So at least in detention I was getting medication or being looked after... I think when people come out of detention we should continue to rehabilitate them. I think that didn't happen to me. I was just expected to live a normal life, but all of a sudden I felt empty. (Adwin, Ghana)

Red Cross staff views

All six staff members stated that mental health is an issue for those who have been detained and getting mental health support for them is a challenge:

Most people come out of detention with some sort of mental health needs that might have been caused by the detention or worsened by that experience. (Red Cross staff member Leeds)

I think the effect on mental health is huge – getting mental health support for them is difficult though. (Red Cross staff member Leicester)

The Red Cross staff member in Portsmouth reported that some service users feel that accessing mental health services is futile:

People will say to me or say to the caseworker, "What's the point? I've still got to go and report". They're still in the same cycle. Someone else could be depressed because they've been through a divorce or some sort of trauma, but they can get therapy and put it behind them and move on from that. But if you keep having to go and report, you keep revisiting that same thing that's triggering everything. Essentially, you're stuck. Maybe if the Home Office made people report less often, then they could go into therapy. But if someone is reporting every two weeks, you're never going to get over it. Never. No matter how good that counselling is, you'd still panic when you know you've got to go and report. You're stuck... I think that's one of the biggest problems, the mental health issues just get worse. (Red Cross staff member Portsmouth)

This is borne out by the Royal College of Psychiatrists (2015) position statement, which states that a background context of basic physical and emotional security, including an assurance of safety and freedom from harm, is a key factor in recovery from most mental illness. They state that many people will not even be able to engage in specialist psychological treatment without this.

3.3.4 Integrating into society

Service user views

Integrating back into society is hard, especially when people are not on support and are battling mental health issues. Detention also sets them back. Grace (Ethiopia) was going to college in Glasgow before she was detained. She hasn't gone back since she was released:

My mind is not good, still now I'm not going college. (Grace, Ethiopia)

A number of the 26 service users we interviewed spoke of not knowing who to trust after release from detention. Sabiti (Uganda) was scared of anyone in uniform after her release:

There were times when I would walk on the street and when you see a police car or anybody wearing a uniform, you just have that moment when you feel like, okay, this is me again. (Sabiti, Uganda)

Five of the 26 service users are volunteering:

It's a coping mechanism keeping busy, and those who don't keep themselves busy are a bit more frustrated and stressed out. (Sarah, Trinidad and Tobago)

Three are going to English classes. A further three would like to go to university, but as they are not allowed to work they cannot afford to pay the fees.

I'm thinking if I get my status and everything I just want to study law. I want to be a solicitor. I don't want to take no money; I don't want no legal aid, nothing. I just want to help people who ask; I'll help them. (Ahmed, Sudan)

Sabiti (Uganda) spoke of finding a sense of belonging at the Red Cross. She has been coming to the drop-in sessions at the Portsmouth Red Cross refugee support service since 2010:

I find it like home; you meet people and everybody is lovely. Everybody has their own dark problems but when we are here, we feel like we are a family. We support each other. If somebody has a problem and you're able to support, you do. Your children outgrow their clothing; you give it to someone else there who needs it. That is how we live here.

(Sabiti, Uganda)

Carmen (Venezuela) spoke of how she wants to be accepted and not just be seen “as asylum person.... I just want them to understand I'm the same as you are”. She spoke of how easy it is to end up in a bad situation on release from detention:

How many people end up in bad situation? I was without money. Some people have said to me, “You want to work for me? I can give you money for sexual things”. I don't choose that, but some people do. (Carmen, Venezuela)

Red Cross staff views

Red Cross staff members also felt that integration is not easy for people released from detention, even if they are granted some form of status:

I wonder how someone is going to be able to manage going into a workplace and being an integrated part of society when you've had this negative experience on your arrival into the country and through the asylum process, and this sense of being done to. Then you're told, “Okay, now you have to be a productive member of society”. I wonder how people manage that transition. (Red Cross staff member Nottingham and Derby)

Two of the staff members felt that the longer someone has been detained, the harder it is to integrate:

I would certainly say it depends on the length of time in detention, and the longer people have been detained, definitely the more difficulty they have integrating. (Red Cross staff member London)

Two of the staff members reported that, after being detained, people find it hard to trust and engage with people in authority. This is worrying for staff, as they feel this group of people is very vulnerable:

It takes a very long time for people to know who they can trust and who they can go to. (Red Cross staff member Leicester)

Two staff members reported that, for many of those released from detention, moving on with their case is the priority, but people with no travel documents live in limbo:

People without travel documents are particularly problematic. They get released because the Home Office has no prospect of removing them in the near future.... Then that person comes out and they're like, “Well what do I do now?” They might go to a lawyer, a lawyer might say, “I don't know, if you don't have any new evidence for a fresh claim”, and so on. We've got someone right now who's in that position and is potentially stateless. (Red Cross staff member Leeds)

You're in limbo. You can't go home, but then you can't stay here. They may not have sufficient evidence to do a Section 4; so they're essentially in limbo. They're just like ghosts. (Red Cross Staff member Portsmouth)

Faven's story

Faven is 23 years old and arrived in the UK in June 2015 from Eritrea. She left Eritrea because of religious persecution. Faven came to the UK via Italy, where she had her fingerprints taken. She claimed asylum on arrival in the UK. Faven was detained six months after she arrived, when she went to report. She says: “It was when I went to report, so I only had my paperwork. I didn't have any bag or other stuff. It was in my home.” She was detained for two months at Brook House IRC, where they attempted to send her back to Italy. She was released on temporary admission. Her solicitor linked up her case with her husband's – he has been granted leave to remain. Faven has no nationality documents.

3.4 Participants' message to the Home Office

All of our 32 interviewees were asked what message they would like to send to the Home Office about detention.

3.4.1 From the service users

For ten of the 26 service users their message was that the Home Office should not detain people:

I would say that there's no need for locking people up. There's no need for locking people up. There are people, fine, people that are very dangerous to the public, which I agree should be locked up. But it should be properly trained officers who can identify somebody who is a risk to the public, and who is not a risk. (Kareem, Ghana)

They shouldn't be detaining people. They can get an address where that person is living, I don't know, but don't detain people. No. It destroys people's life, totally destroys people's life.... We are not criminals, just immigration problem. There's other ways they can be able to sort it out than detaining people. (Lera, Nigeria)

Four of the 26 service users wanted to send a message that detention is a waste of money:

It's just a waste of money, resources. I speak English. I can do better for this country. If they allow me to work, I can pay taxes. It's just a waste of money, waste of time, waste of resources. (Sabir, Pakistan)

Three of the service users wanted to send a message that asylum detainees should not be detained in the same facility as people who have committed serious crimes. Three sent the message that detention is harming people's mental health.

Two service users wanted to point out that they are human beings:

I just want them to stop looking at people like a reference number, because that's how they see people. I want them to look at people as a human being.... I want them to be under the cover of asylum people's house. I want them to be in the detention centre, to be in cells, to see how people live. (Ahmed, Sudan)

The two female service users from Somalia were both victims of sexual violence in their home country. Their message was that genders should not be mixed in IRCs:

It's only sleeping where they are apart [in Dungavel IRC]. And when you came from a background where you've had a case of rape and then you find yourself around men, forced to be around men, it was not a good experience. (Aniso, Somalia)

Two service users sent the message that the Home Office should remove uncertainty by telling people what is happening to them and for how long they will be detained:

Well, I think they should tell people exactly what is going to happen to them. It is good to let people know what is going to happen rather than leaving them hanging without knowing. (Faven, Eritrea)

People are suffering because they don't know how long they are detained. (Than, Bangladesh)

Two service users sent the message that IRCs should be called prisons, because that is what they are:

Prison is a prison, doesn't matter what you call it. If they withhold your freedom, it's a prison. And I think that [freedom] is the only thing that I've got now. I don't have a job, no posh car or a house. I haven't got no visa; I've only got my freedom. If you want to take that, you might as well take my life as well. (Ahmed, Sudan)

3.4.2 From the Red Cross staff members

All six Red Cross staff members felt that the reporting procedure needs to change, including making it local, having interpreters and paying for transport for those not on asylum support.

The Glasgow staff member felt that people shouldn't be detained when they go to report:

I think that detention should not be happening at reporting at all, because that's actually what creates fear, and that often makes people abscond. I've had clients who have absconded from the system because they cannot take any longer this fear, this anxiety of being detained every time they go for reporting.... There should

be another way of dealing with it, giving the client enough time to prove that they are working on their case, rather than just taking them by surprise. (Red Cross staff member Glasgow)

The Leicester staff member questioned whether reporting is really necessary if you have an address for everyone:

I don't think reporting is useful at all. If the Home Office was actually keeping up-to-date records of the addresses of people, they should know that person's there. Even those who are not in Home Office accommodation, they will always have an address, even if it's a charity like us, or a solicitor's address. (Red Cross staff member Leicester)

Five of the staff members felt there should be a time limit on detention:

There has to be a time period - for the individual's wellbeing and also, from a very pragmatic point of view, it doesn't work for the economy. It doesn't work. (Red Cross staff member Nottingham and Derby)

Three of the staff members stressed that people should only be detained if removal is possible:

People who can't be returned should never be detained. If you know that person cannot be removed, just leave that person alone. If you have to detain somebody, detain them after everything has been prepared for them to be removed. So don't start thinking about travel documents after they've been in detention for two weeks, do it beforehand. (Red Cross staff member Leicester)

I think detention should only be imposed when someone can actually be removed rather than just keeping people in detention when there's no prospect of removal. I think that damages an individual. If you can't remove them, you're just punishing them. (Red Cross staff member Portsmouth)

In spite of detention

(By the Scottish Detainee Visitors Life After Detention group)

In spite of detention, I found my partner and feel I have been given a good life. We'll get married. Now I have a gift from God. It's a little angel. I like learning English. I have a diamond on my finger!

In spite of detention, my life is good. I keep myself busy. I volunteer every week, go to English classes and attend church on Sundays.

When I go to the Home Office to sign I am scared, as I remember detention; this stops me sleeping at night.

Life in detention is very hard. Life after detention is good, if the Home Office don't put you back again.

In spite of detention I go to college. I like studying I like to meet people in Glasgow
I water tomatoes
I go to church
I like to drink a lot of tea
I feed frogs!

In spite of detention I have made new friends; we share food and stories. We laugh. I see people building a new life despite everything; I see strength, bravery and determination

In spite of detention I now go to social groups like LAD. I have made many friends. God blessed me with two beautiful daughters. They are my whole asset. I have built my life stronger than ever before.

In spite of detention, I volunteer with three charities
I go for walks in the park
I meet new people in Glasgow
I am going to make a new life for myself
I have plans to be successful

In spite of detention, my friends have regained their smile
They have managed to start a life in Glasgow
They found hope again
They fell in love with Scotland

Detention made me stronger than before. I now have the confidence to deal with people; to deal with everything



4 Conclusion

Immigration detention has a known negative impact on mental health. Most detainees will have experienced some form of trauma in their life before detention, the effects of which can be exacerbated in detention.

In the year ending September 2017, of the 27,809 people who left detention, only 48 per cent were returned from the UK. The remaining 52 per cent were released into the community, which raises questions about the justification for their detention in the first place. Even for those who were removed from the UK, many will have been detained for several months and subjected to the harm and distress that detention causes.

The damage done by detention does not simply go away once someone is released and the negative impact on mental health persists long after detention. Expecting someone to engage with their asylum case after release is unrealistic if they are battling mental health issues, receiving no asylum support, and subject to enforcement-based alternatives to detention, like reporting.

Lera's story

Lera is 42 years old and arrived in the UK in 1990 from Nigeria. She was 14 years old at the time. Lera's father died when she was very young. The family forced her to marry an elderly man. She says: "It was a forced marriage. I was with him, torturing me and beating me and all sorts of things." A family friend promised he could get Lera to London: "To have a better life, to go to school. Because after my father died, that's when I stopped going to school. There was no more education".

When Lera arrived at the airport in the UK, the family friend handed her over to a lady: "I was with this lady for four years, looking after her kids, doing all sorts of things in the house". Lera then ran away and was on the streets for some time.

Unbeknownst to Lera, her sister had come to the UK in 1989. Lera ended up meeting her sister at a street market and went to live with her: "I was with her for years". In 2004, Lera put in an application for leave to remain based on being in the country for 14 years. She was refused because there was no proof of her entering the country. She says: "I didn't

know what to do. The way I came here was a different way. There was no passport, nothing. I was young. I didn't know what to do." The Home Office kept refusing her application.

By this time, Lera had started working. In 2011, she was picked up by immigration at her place of work. She spent two nights at a police station and was then taken to Yarl's Wood IRC for six weeks. During that time, they moved her from Yarl's Wood IRC to Colnbrook IRC to deport her. The ticket was cancelled and she was moved back to Yarl's Wood IRC. Lera was released on bail, with her sister acting as surety.

In 2012, Lera was picked up again when she went to report at London Bridge. She was detained in Yarl's Wood IRC for three months and released on bail. In 2015, she was detained in Yarl's Wood IRC again for three weeks and released on bail. Lera was detained in Yarl's Wood IRC for the fourth time in 2016; this time she claimed asylum. She was detained for two months and released on a Rule 35 as a victim of torture. She had her asylum interview at the end of September 2016 and, as yet, has had no decision on her claim.

5 Recommendations

Detention as well as the reporting system, has detrimental impacts on the wellbeing of individuals. People should have their immigration cases resolved in a person-centred, humane system that focuses on engagement rather than enforcement, and that only ever uses detention as a last resort to effect removal.

5.1 Recommendations for the Home Office

Recommendation 1

Detention should only ever be used as a last resort and for the shortest possible time.

The Home Office should:

- 1** Allow people to live in their communities while their immigration cases are resolved by replacing the systems of detention and reporting with end-to-end, case-management-led, community-based alternatives.
- 2** Reduce the uncertainty people face by introducing a statutory maximum time limit of 28 days on the length of time an individual can be detained for immigration purposes.
- 3** Make the process of being detained, and conditions within detention, more humane, including prohibiting the use of handcuffs when people being detained are in transit. People should be told where they are being taken to, and how long it will take to get there. They should be given the opportunity to inform family and friends where they are being taken. People should not be made to feel like criminals by being made to stay in police stations after being detained.
- 4** Not detain someone who cannot return home or be removed due to such issues as lack of documentation. The necessary documentation should be in place before a person is detained.

Recommendation 2

Vulnerable people should never be detained.

The Home Office should:

- 1** Prevent the detention of vulnerable people by adopting a vulnerability screening tool, such as the one developed by UNHCR-IDC, to be used when screening individuals prior to the decision to detain.
- 2** Ensure the tool is suitable for use in detention to identify vulnerabilities that develop while people are detained.
- 3** Introduce a prohibition on the detention of pregnant women.



Recommendation 3

The overly onerous and traumatic experience of immigration reporting should be overhauled.

Being made to report, often while battling with mental health issues and receiving no asylum support to meet basic needs, continues to harm people and furthermore inhibits them from resolving their immigration status. Leaving detention does not end the harm.

The Home Office should:

- 1 Remove the fear that people face when reporting by never detaining someone when they attend to report. Detention should only take place as a last resort to effect removal, and as part of end-to-end, case-management led, community-based alternatives.
- 2 Provide people with end-to-end asylum support to enable them to meet their basic needs and live in dignity, while effectively engaging with their immigration case.
- 3 Reduce the stress people experience by not requiring people to report more often than needed. Most people should not need to report more than once a month and reporting requirements should be reviewed regularly to see if they should be reduced
- 4 Ensure people are able to meet their reporting requirements by covering travel costs for both those who are destitute and those in receipt of asylum support.
- 5 Minimise the distances people are required to travel in order to report by increasing the number of locations that are available to them.

5.2 Recommendations for the British Red Cross

The Red Cross should:

- 1 Look to further develop an operational response that provides assistance to people who are subject to the process of immigration reporting.
- 2 Through our existing refugee support activities, work to ensure people are equipped with vital information about immigration detention and their rights, so people feel better prepared should they face detention, particularly with little or no warning.
- 3 Explore existing work in the refugee sector that helps people liable to detention put in place a contingency plan to manage their affairs in the event of being detained, and consider how it might form part of the Red Cross operational response
- 4 Explore how best to mitigate the risk of destitution for people leaving detention, through ensuring people have information about and access to any statutory support they are entitled to, and information about support provided by the Red Cross and others in the refugee sector.



Than's story

Than is 23 years old and his family is originally from Burma. His parents were born in Arakan, Burma, and are Muslim and Rohingya. Than's parents and his older sister fled Burma in 1991 in the wake of a military operation against the Rohingya. They fled to Bangladesh and were registered as refugees by the United Nations Refugee Agency (UNHCR). Than was born in the refugee camp in 1994. In 1996, the family went back to Burma as part of the repatriation programme arranged through the auspices of UNHCR. They returned to Bangladesh in 1997. However, after 1992, Rohingyas entering Bangladesh were not officially recognised as refugees by the Government of Bangladesh. Whether living in camp or non-camp areas in Bangladesh, the Rohingya refugees have been subject to miserable living conditions marked by inadequate access to basic needs, exposure to violence, restricted movement, local hostility and various forms of discrimination. When Than was five years old, his mother died. When his father died, Than found an agent to bring him to the UK; he was 16 years old. The agent gave him a Bangladeshi passport.

Than arrived in the UK in October 2010. The agent who brought him left him on the streets of Cardiff. Than sofa surfed until September 2011, when the police picked him up because he was sleeping rough. He was nearly 17 then. At that point he told them he was from Bangladesh, rather than Arakan. He was taken first to the police station and then to Dover IRC. He says: "I was shaking. I was thinking maybe they killing me."

Than claimed asylum in detention and was released on temporary admission. They refused his original asylum claim because his nationality was recorded as Bangladeshi and Bangladesh is considered safe to return him to. Than hadn't told them he is Rohingya. Than subsequently put in a fresh claim in 2015 as Rohingya; he is still awaiting a decision.

Roshan's story

Roshan is 39 years old and arrived in the UK in 2001 from Sri Lanka. His brother was a member of Liberation Tigers of Tamil Eelam. The army were looking for Roshan's brother and kept coming to their house. Roshan then also joined the Tamil Tigers and eventually had to flee Sri Lanka.

Roshan claimed asylum on arrival in the UK. He was refused and his appeal was dismissed. Roshan has been detained twice. The first time was in Tinsley House IRC – he can't remember the date. Roshan had stopped reporting. He was too scared to report in case they detained him and sent him back to Sri Lanka. Ironically, they detained him because he stopped reporting. Immigration tracked him down to where he was staying and detained him. He was released on a Rule 35.

Roshan's second spell in detention was in 2015. He was detained when he went to report and sent to Haslar IRC. This time he was released on temporary admission. Roshan has a fresh claim in. He feels like a large part of his life has been wasted. Roshan has never had any nationality documents.

Ahmed's story

Ahmed is 24 years old and arrived in the UK in March 2012 from Sudan. He came to the UK with his mother and little brother and they claimed asylum at the airport as soon as they arrived. The family left Sudan because of religious persecution; they had converted from Islam to Bahai.

Ahmed was detained in late 2016 when he went to report. He was detained in Campsfield House IRC for a month and released on bail. He was reporting for three months and then got detained again for another five months. This time Ahmed was in Morton Hall IRC before being moved to Colnbrook IRC when the Home Office tried to deport him. He was released on a Rule 35.

Ahmed's fresh claim was submitted in July 2017; he is awaiting a decision. The Home Office has his passport.



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Appendix A

More about the service users

Adele's story

Adele is 51 years old and arrived in the UK in 2009 from Nigeria. Adele is a lesbian and, in her culture, that is not acceptable. Her parents wanted her to marry: "Where I came from, you must surely get married. I didn't really want to marry or have anything to do with men, but because of the pressure from my parents, being the only girl, they forced me".

Adele couldn't bring herself to marry the man her family chose for her. She had two children with him in an attempt to appease her parents, but they were still not satisfied. They wanted her to be married for the respect it brings to the family.

Adele had a partner at the time and one day her husband saw her and her partner together. Her partner ran away and Adele was beaten: "He started yelling, telling all the neighbours who I am". Adele's partner helped her to escape and she went to Germany in 2007 for a year and eight months. From there Adele came to the UK.

Adele did not claim asylum straightaway: "When I came here, I didn't know anything because I was hiding my sexuality". She was initially living from home to home among the Nigerian community in Leicester. Adele was picked up in 2015 because she didn't have papers. She spent one night in a police station and was then taken to Yarl's Wood IRC. Adele claimed asylum in detention after the solicitor encouraged her to be open about her sexuality. She was released on temporary admission after four months.

Adele's asylum claim was refused in June 2016 and her appeal was dismissed in January 2017. She is preparing to put in a fresh claim. Adele cannot face the thought of going back to Nigeria and having to pretend about her sexuality or be persecuted for it. She says: "I cannot go back to be 'cured'. I cannot go back to face imprisonment. I cannot go back and be discriminated against. I cannot pretend anymore. I pretended for many years back home, but I

can't do it again. I'm in the open now, I'm safe here. I can't pretend again."

Adwin's story

Adwin is 47 years old and came to the UK from Ghana in 2005. Adwin was a successful chartered civil engineer in Ghana. He made the mistake of wanting to marry someone who was not from his tribe or his religion. Adwin's office and house were destroyed; they killed his cat and he was tortured. His fiancée organised an agent to help him get out of Ghana. He travelled on a counterfeit British passport.

Adwin tried to claim asylum at the airport when he arrived in the UK. He was arrested for using a counterfeit British passport and taken to the police station, where he spent two nights. The duty solicitor told him it would be impossible to get asylum coming from Ghana, as it is considered a safe country. Adwin battled to comprehend that, as his body still had fresh wounds from the torture he had endured. The duty solicitor told him he would be charged for using the counterfeit passport and that he should plead guilty to get a lighter sentence. Adwin was sentenced to six months.

When Adwin's sentence was finished, he was transferred to Harmondsworth IRC. He claimed asylum and his case was dealt with under the now outlawed Detained Fast Track system. Adwin was refused and his appeal was dismissed. Adwin's first spell in detention lasted two years. He was moved seven times during the two years, including being moved to Scotland and back to England three times. He was released on bail the first time. He was bailed by Scottish Detainee Visitors, even though he was in detention in London at the time.

Adwin was detained again in March 2016. By this time, he was father to a three-year-old and had been stepfather to the child's brother for seven years. Adwin was detained when he went to report.

Four days before he reported, he was injured after a section of ceiling fell on his head in a shop in Glasgow city centre. He was treated at Glasgow Royal Infirmary for concussion and discharged the following day. He was still limping and bruised when he went to report and was detained.

Adwin was then a Masters student at Strathclyde University, studying counselling. He was voted Student of the Year at the university for his work helping other students. Over the weekend that he was detained, he was elected Asylum and Refugee Officer for the National Union of Students (NUS) Scotland's executive committee in abstention. The NUS and the Strathclyde Student Union campaigned for his release from detention. The NUS campaign was supported by a number of politicians, including the Scottish National Party MPs Alison Thewliss, Patrick Grady and Christopher Stephens. There were protests in Edinburgh and London. Adwin was detained for eight weeks this time. He was moved five times including being sent from Glasgow to England, back to Glasgow, and back to England. He was released on temporary admission.

Adwin has submitted a fresh claim; it has been in for over a year and he still has had no decision.

Ameen's story

Ameen is 27 years old and arrived in the UK from Iran in September 2011. He says: "I left Iran because my life was in danger with the violence. That's why I left – for safety."

Ameen claimed asylum on arrival and was refused after two months. He gathered new evidence, put in a fresh claim and was dispersed to Swansea. Ten months after moving to Swansea he committed actual bodily harm and was sentenced to 12 months in prison. He served 10 months and was then moved to the Verne IRC. He was detained in the Verne IRC for 10 months before being released on temporary admission.

The rest of Ameen's family arrived in the UK in 2015; they have been granted refugee status. Ameen is hoping to put in a fresh claim. Ameen has no nationality documents. He was taken to the embassy while in detention, but the embassy would not give him a travel document.

Aniso's story

Aniso is 22 years old and arrived in the UK in September 2016 from Somalia. She left Somalia "because of the war, the suffering and everything that you have to go through because of that". Aniso left Somalia with two of her sisters; they paid an agent to bring them to the UK. During the journey she was separated from her sisters; she does not know what has happened to them.

She says: "It's very difficult for me. Thinking about everything that I went through to get here, and I'm the oldest and they're young. Just thinking about everything that they could have been through or that they are still going through. It's very hard."

Aniso claimed asylum on arrival in the UK. She was taken straight to Dungavel IRC and was detained for 10 days. As a victim of recent sexual violence, she found it highly distressing to be mixed with male detainees in communal areas. Aniso was released on temporary admission and is still awaiting a decision on her original asylum claim.

Carmen's story

Carmen is 36 years old and arrived in the UK in 2014 from Venezuela. Carmen got caught up in the political violence in Venezuela. She was working for the opposition party and was tortured, shot at and nearly killed. Carmen decided to get out of the country for a while and got to the UK on a student visa.

At that time, a series of protests, political demonstrations and civil insurrection began in Venezuela due to the country's high levels of urban violence, inflation and chronic shortages of basic goods. She says: "So there were many protests, people were killed and things got worse." In May 2014, Carmen's family let her know that people were looking for her. They were afraid not just for Carmen, but for the safety of the whole family. Carmen says: "I was crying every day, really worrying about my country, about my family, about my life."

In August 2014, Carmen went to the UK Visas and Immigration offices in Croydon and claimed asylum. She was homeless at that point. Carmen's asylum claim was refused.

Carmen was detained for the first time in July 2015 when she went to report. Her appeal had been dismissed – she hadn't received the notification letter, neither had her lawyer. Carmen spent one night in the Plymouth police station, then two nights at the Heathrow short-term holding facility. She doesn't know why they didn't deport her. From there, she was taken to Yarl's Wood IRC. She was detained for three weeks and released in August 2015 on temporary admission.

Carmen was detained again when she went to report in October 2015. She says: "That time was worse because I stayed two nights in the police station. Imagine, it was the second period – I knew what was going to happen, I knew. Your brain prepares, your body prepares. I was just crying all the time."

Carmen was detained for a month and a half this time in Yarl's Wood IRC before being released on temporary admission.

Carmen's fresh claim has been refused and her right to appeal denied. The day before she spoke to us, she had been granted permission for a judicial review. The Home Office has had her passport since she originally claimed asylum.

Cerena's story

Cerena is 42 years old and arrived in the UK in January 2012 from Nigeria. She didn't claim asylum straightaway – she didn't know how to claim and was scared they would send her back. She was picked up in 2014 from where she was living and taken to Yarl's Wood IRC. She claimed asylum while in detention. She was detained again in November 2016 after being caught working illegally. She was initially held in HM Prison Stafford for three months, then Dungavel IRC for two months, before being moved to Yarl's Wood IRC for three months.

Cerena is still awaiting a decision on her original asylum claim. The Home Office has her passport.

David's story

David is 49 years old and arrived in the UK in March 2001 from Kenya. David was working in the Kenyan Election Board information, communication and technology department. He says: "I was being forced to do illegal activities, like what is happening now, to steal the election."

In July 2017, a week before Kenyan national elections, his former manager – the head of that department – was found murdered. He had been tortured before he died. David says: "It's just a horrible fiasco of activities which you must be involved in. If you don't get involved in it, it costs you your life and your job." David himself was attacked and stabbed.

David is also gay – homosexual activity is illegal in Kenya. According to David, even if legislation changes, the Kenyan culture and society will never accept homosexuality. David's partner left Kenya four years before David did. He came to the UK and has refugee status. Tribal violence is also rife in Kenya, and David's family belong to a marginalised tribe. His brother was brutally murdered in tribal violence in 2014.

David claimed leave to remain based on family life in 2013, after 11 years of being in the UK. His claim was refused and his appeal dismissed. In 2015, David got a letter to say that, if he is not leaving the country, he must report. He didn't report and they tracked him down to the address on his Family Life application and detained him. David was taken to Colnbrook IRC and claimed asylum in detention. After two and half months in Colnbrook IRC he was released on a Rule 35.

David's asylum claim was refused and appeal was dismissed. He is working on a fresh claim – his mother has sent him the post mortem report of the murder of his brother.

Faith's story

Faith is 29 years old and is from Kenya. Faith was a victim of female genital mutilation as a young girl. In 2007, while in her last year of high school, she was a victim of sexual violence during the post-election conflict. Faith decided to try to get out of Kenya on a student visa. She applied to the UK and America and got accepted in the UK. Faith arrived in the UK on a student visa in February 2008.

Faith claimed asylum in 2010 and was refused. She put in a fresh claim in 2012 and was refused again. At that point she had met someone and was pregnant. Her partner refused to take any responsibility for the baby: "I feel like I went on a downward spiral, it was so bad". Faith couldn't even think about a fresh claim: "I think

I just put it at the back of my mind, my status problems, they were not as big as what I was going through at that time". The therapist Faith sees currently believes Faith was suffering from postpartum depression. Faith was also not on asylum support. She says: "The government wasn't helping me at all. It was so hard, going around asking for help for nappies and food. I think I wasn't functioning. I was breastfeeding and I wasn't eating, and you can see your baby is hungry and you can't help." Faith stopped reporting at London Bridge: "At that time, especially when I had the baby, I was thinking, 'I can't. There's no way I'm going to waste £5 to go to London Bridge with a baby and he doesn't have milk'."

Faith's mother came from Kenya and took the baby back with her: "I wasn't stable enough to look after someone else; I couldn't even look after myself". Faith's sister then decided to come and spend time with her; Faith was picked up at the airport when she went to meet her sister. Faith was in Colnbrook IRC for four days and then moved to Yarl's Wood IRC. She says: "We got there at midnight. By the time they processed us and showed us to our rooms, it's two or three o'clock in the morning." She was in Yarl's Wood IRC for four weeks and then released on temporary admission. Faith has a fresh claim in. She had her interview in August 2016, but has heard nothing as yet.

Farid's story

Farid is 30 years old and came to the UK in 2012 from Sudan. He left because of the war in Sudan. Farid claimed asylum on arrival in the UK and was refused. His appeal was dismissed and he was left homeless. After going without food for two days, he went to the police station. The police called the British Red Cross, and they found him somewhere to stay for two or three days. After that, Refugee Forum found him a house to stay in. Immigration arrived suddenly one morning and detained him. After two days at the police station, they took him to Morton Hall IRC. He says: "They keep moving me – about four times. Morton Hall to Colnbrook, back to Morton Hall, back to Colnbrook, back to Morton Hall."

Farid was released on bail. He has put in a fresh claim, which was refused. He will appeal. Farid has no nationality documents.

Gabriel's story

Gabriel is 24 years old and from South Sudan. As a child, Gabriel was severely injured in the conflict in South Sudan. His parents had him smuggled out of South Sudan in a container and he was taken to Uganda for treatment. He lived in one of the camps in Uganda until 2008 and then went back to South Sudan. Although South Sudan obtained independence, the conflict has continued. Gabriel left because of the war. He says: "All my life, childhood up to now, is just seeing sufferings at home, fighting all the time. We don't know why these people are fighting, but we are just caught up in this fight."

En route to the UK, Gabriel was detained in Misrata, Libya. He was accused of fighting for Gaddafi and imprisoned for a month and four days. He knew he had to escape or be killed. Gabriel escaped and travelled by boat from Libya to Italy. He was fingerprinted in Italy and claimed asylum there. His claim was refused and he was given 30 days to leave Italy. He arrived in the UK in May 2014 and claimed asylum the following day in Croydon. His case was refused.

Gabriel was detained when he went to report in Newcastle. After a night in the police station they moved him to Dungavel IRC in Scotland for almost two months. From there they moved him to Morton Hall IRC. They wanted to remove Gabriel to Italy, rather than Sudan, when he was in Morton Hall IRC, but Italy would not take him back. Gabriel was detained for two months and one week before being released on temporary admission.

Gabriel is fully refused – his appeal was dismissed in May 2017. He has had a letter from Italy saying his case in Italy is closed and he should not go back to Italy. His solicitor has told him to send the letter to the Home Office. The British Red Cross helped him do that. Gabriel has heard nothing further from the Home Office.

Gabriel has no nationality documents: "When the war started, when those people started fighting, they destroyed everything. They burn everything down". His brother is still in a refugee camp in Uganda. He too has no documents.

Hani's story

Hani is 26 years old and came to the UK in 2017 from Somalia. She left Somalia because of the war and gender violence. An agent brought her to the UK. Hani was detained on arrival and taken to Dungavel IRC. She claimed asylum while in detention and was released on temporary admission after three weeks. Hani has been granted refugee status.

Kareem's story

Kareem is 39 years old and was trafficked into the UK from Northern Ghana at the age of 22. He arrived here in winter 2003. He says: "I did not come on my own will. I had never travelled outside my country before. I grew up in the farmland. I got here before I knew that there was another place on earth that looks like this, because I just grew up in a farmland among trees and animals."

Kareem arrived with three other men. They were taken to a warehouse to work seven days a week. There was no payment. He says: "Once in a while, they'd come and they'd give you £20, £30. Then they come back to you and ask you, 'Do you want to buy something – like clothes or something?' They say, 'Well, you need to give us money to get that for you'."

Kareem eventually managed to escape, but did not claim asylum immediately: "I was hiding and hiding away from the authorities because they [the traffickers] already told us that if we talk to somebody, we will be arrested." Kareem was sofa surfing until he met someone at church in London who let him stay for three or four months and managed to persuade him to go to the authorities. He says: "I made myself known and told them what had happened to me, and then I was arrested and put in detention."

Kareem started out in Dover IRC. He claimed asylum in detention and was refused while in detention. He was still in "for about one year" after they refused him, but moved from one centre to another, including Haslar IRC, Harmondsworth IRC, Colnbrook IRC and as far away as Dungavel IRC in Scotland. The Home Office tried to remove him twice.

After two years and seven months, with the assistance of the Gatwick Detainees Welfare Group, Kareem was released on bail. After six

months, he was detained again – this time for two weeks in Harmondsworth IRC. During his second spell in detention, the Home Office tried to remove him, but his flight was cancelled. Kareem was released on bail again.

Kareem put in a fresh claim two years ago, but has had no decision as yet. He also has an application in for discretionary leave to remain, based on being a victim of trafficking. This has been refused, but he has been given permission to appeal. Kareem has no nationality documents.

Nana's story

Nana is 52 years old and arrived in the UK in 2001 from Nigeria. She came to the UK because of religious persecution and domestic violence: "Yes, so I went through a lot. Look at me [points to scars on her face]. Can you see what I'm saying? So it's still obvious, but I don't like discussing it, because it makes me ill, sick". Somebody helped Nana to get to the UK.

Nana did not claim asylum immediately. She was living with her aunt, when her daughter was kidnapped back in Nigeria. Nana wanted to go and find her, but ended up being arrested at the airport for being in the UK illegally. She says: "I was travelling back home to my only girl and my only child, till I was arrested at the airport." Nana spent six months in Bronzefield prison before being moved to Yarl's Wood IRC.

Nana claimed asylum in detention. After a year she was moved from Yarl's Wood IRC to Dungavel IRC in Scotland. She was released on bail after 18 months in detention. Her aunt bailed her.

Nana was really ill when she got out of detention. Her solicitor forwarded a medical report to the Home Office saying Nana couldn't report. The Home Office claimed they did not get it. Nana was picked up at her home at one in the morning and taken back to Yarl's Wood IRC for three months. She was released on bail with the assistance of Bail for Immigration Detainees. Nana is fully refused.

Sadeed's story

Sadeed is 25 years old and arrived in the UK in June 2009, after fleeing the war in Afghanistan. It was a long journey to the UK for Sadeed. En route to the UK, he was captured by kidnappers

between Turkey and Iran and held by them for almost two years. He says: "They just want the money. The reason why they kidnap you is they are asking your family for things, but I lost contact with my family." The kidnappers eventually let him go.

Sadeed claimed asylum as soon as he arrived in the UK. He was 16 years old at the time, although the Home Office insisted he was 17. Sadeed was given leave to remain for 15 months and then had to apply for asylum. He was detained in 2012 when he went to report. His case had been refused; he did not know that. Sadeed was detained for more than two months, first in Morton Hall IRC and then in Brook House IRC. The Home Office tried, unsuccessfully, to deport him.

In 2015, Sadeed was detained again for more than two months, first in Morton Hall IRC and then in Colnbrook IRC. They tried again to deport him, but his flight was cancelled.

Sadeed was released on temporary admission both times. He does not have any nationality documents.

Sarah's story

Sarah is 47 years old and arrived in the UK in 2001 from Trinidad and Tobago. She studied nursing in the UK and worked as a nursing

assistant in two or three trusts and as a registered nurse for a year. Sarah's visa expired and she became an over-stayer. Instead of taking her passport to the Home Office, she gave it to a friend who said she worked in the Home Office and would sort it out. Sarah gave her money and was told her passport would be sent in. The friend brought back her passport with a new visa in it.

When Sarah wanted to go on holiday and went to the embassy for a visa, they realised her visa was fake. She was arrested and sentenced to Holloway prison for four months. Her passport was confiscated. Sarah was released in 2008 and has been reporting since then. She was detained in 2016 and claimed asylum, based on family and private life, while in detention. She spent two months in Yarl's Wood IRC before being released on temporary admission.

Sarah's asylum claim was refused in 2017 and, before she even received the refusal letter, she was detained when she went to report. She spent three weeks in Yarl's Wood IRC and was released on temporary admission again.

Sarah is fully refused and is now exploring the option of overturning her original criminal conviction. The Home Office still has her passport and, according to Sarah, it would have expired more than nine years ago.



Appendix B Leeds Unity Centre

All quotes below are from an interview with Stefan Robert, British Red Cross Service Coordinator, Casework and Advocacy, West Yorkshire refugee support.

Stefan Robert joined the Red Cross refugee support service in Leeds in August 2012. After about six months, it became apparent to him that there wasn't a system in place for the Red Cross and others in the refugee sector in Leeds to be alerted when clients are detained, so that they can be supported.

Along with a colleague, Stefan decided to start an initiative to address this. They brought together some individuals from the refugee sector in West Yorkshire, including a caseworker from Positive Action for Refugees and Asylum Seekers (PAFRAS) and a lawyer from a legal firm in Leeds. Other refugee sector agencies also became involved. They started talking about setting up a Unity Centre in Leeds, with a similar model to the Unity Centre in Glasgow, in which Stefan used to be involved. The Unity Centre in Glasgow has an office located less than 100 metres from the Home Office. Anyone who is required to sign at the Home Office reporting centre can call into the office on their way to sign in their signing book, and sign out after reporting. This means the Unity Centre can act quickly if anyone gets detained.

The Unity Centre in Glasgow is run by the Unity Centre Collective. Everybody is welcome to volunteer at the Unity Centre and all volunteers who have worked at the Centre for at least six days are invited to join the Collective. The Collective has meetings every two weeks to make decisions about how the Centre is running, to check its administration and finances, to discuss new projects and to address problems together. They make decisions using consensus and have facilitated meetings.

Stefan realised that there would be a big demand for whatever they chose to set up, as the reporting centre in Leeds was covering the whole of Yorkshire and the North-East. So it was not just about people in Leeds.

What were they hoping to achieve?

I guess, from the start, I thought we could have a project that ensured that nobody would just disappear and be detained without anyone ever knowing about it. And that everyone always got access to the help they needed.

The group wanted to make sure that everyone got advice and support right to the end, but it would also be about solidarity:

It's about there's someone in crisis and being able to say, "We're here for you, even if it's just to listen to you; and we'll call you every day until the day you are removed". I think when we found that we were speaking to people on the phone, even if you can't do anything for them other than that, it makes a massive difference to their wellbeing and people are very thankful about that kind of support.

Feeling someone is there for them, can help people keep going:

People feel quite beaten. And we felt, from speaking to asylum seekers that were in detention, that often they would get to a point where they felt powerless and they would give up.... Often people have said that having someone constantly checking on them helped them keep their head up, rather than just completely retreating and accepting their fate; so yes, solidarity.

How did they go about it?

The group started by conducting research. They interviewed a large number of asylum seekers, and spoke to agencies working with asylum seekers in West Yorkshire about the need for the project. They put in a bid for funding to Lush and were awarded about £10,000.

From the start, the idea was for the project to be very grassroots, inexpensive and volunteer led. The project is a collective of volunteers, and anyone who volunteers is able to attend collective meetings and make decisions about the project; there is no hierarchy. The hope was that the project would help support existing services in the refugee sector, but also reduce some of the

pressure on them. They also wanted to set up something that was sustainable.

The next major task was to find premises as close as possible to the Home Office reporting centre. This proved to be a challenge and took a lot longer than anticipated. Eventually a Nigerian Pentecostal church, located close to the reporting centre, offered them a space. The pastor had been an asylum seeker and had been detained. This gave the Leeds Unity Centre a base for the first seven to eight months.

So we officially opened on July 2014 as the Leeds Unity Centre. Our organisation officially started in January 2013, but that was when we wrote our constitution and we started the process of getting the project set up.

What did they offer?

The initial offering was very similar to that of the Unity Centre in Glasgow.

Before you go in to report you could go and sign your name in the [Unity Centre] book, and then if you then don't come back in an hour to sign your name off, we would phone you and check if you'd been detained or not.

The Leeds Unity Centre does not give legal advice, but it does want to help people be prepared if they are detained and let them know what to expect. A lot of the information they give to people is sourced from the Unity Centre in Glasgow.

Preparation is vital when people go to report. The Leeds Unity Centre advises people to have a contingency plan in place, including a list of people to contact.

Ideally, when people get detained, they want to be able to immediately alert their lawyer, or a friend or family member or any agency that is working with them. They need to be able to get the ball rolling right from the start.

A key aspect of the contingency plan is making sure there is someone who has access to the person's asylum paperwork. If the person tries to obtain legal advice while in detention, "you need your full file, you need all your refusal letters, any submissions you've made, any tribunal decision letters". Someone needs to be able to get that to the person.

If the person is going to make submissions in detention, like a fresh claim, they might be required to get supporting evidence from agencies that have worked with them or groups they have been part of. If they don't have all those contacts details available, then they are not going to be able to do that. So someone needs access to a list of people or organisations that the person might be required to contact.

Someone needs to have all that information to be able to be that bridge from the inside to the outside.

On a very practical level, someone also needs to take care of the person's belongings.

Besides helping people set up a contingency plan, people could also leave their contingency plan with the Leeds Unity Centre.

You could leave your contingency plan with them so they had all your paperwork, all your contacts, and they would have a plan in place to activate as soon as it became known that you were detained.

The Centre will also accompany people to report if they find reporting to be particularly distressing – capacity allowing.

Once someone is detained, the Centre can act as a go-between and relay information between the detainee and advice agencies, like Medical Justice, or solicitors.

Sustainability

The Leeds Unity Centre has been operational for three years now. Due to time pressures, Stefan is not so involved anymore. The Centre has moved venue a number of times, but it remains a volunteer-led collective providing emotional support, practical assistance and solidarity to asylum seekers at risk of detention within West Yorkshire. It now has a mix of asylum seeker and non-asylum seeker volunteers.

Yes, I think that's a real show of the opposition to this process of detention, that they're still going, they're still raising money, they've still got volunteers, they're still working with people.

Appendix C The Life After Detention Group (Scottish Detainee Visitors)

Unless otherwise indicated, all quotes are from Shirley Gillan, Coordinator at Scottish Detainee Visitors (SDV).

Who are Scottish Detainee Visitors?

SDV came into being when Dungavel House Immigration Removal Centre (IRC) opened. Dungavel House is for male and female detainees and is the only IRC in Scotland. Dungavel House was formerly a hunting lodge for the Duke of Hamilton. It was used as a hospital during two world wars, after which it became a training college for the Coal Board, and then a Scottish Prison Service low-category prison. It became a detention centre in 2001.

SDV has two part-time, paid staff members and a team of volunteers. It has between 25 and 45 volunteers at any one time. Volunteer roles are varied; besides visiting Dungavel, volunteers can be involved in aspects such as the Life after Detention group, social media, administration and country research.

So we're just doing a recruitment at the moment, specifically for people with the languages of the folk who are inside [detention] because that's a massive issue.

To date, SDV have managed about 100 visits a year to Dungavel:

I think we are the most consistent presence in there because we've gone down every Monday and Thursday night since we started.

The visits to Dungavel are mostly about providing social support:

It's really an ear from the other side of the bars, you know, showing that we're there for them.

There is no public transport to Dungavel; SDV goes down by car every Monday and Thursday evening. It's about a 50-minute drive, which gives volunteers time to plan together and prepare; and then they've got an instant debrief on the return journey. When there are new volunteers,

they make sure there's a good mixture of more experienced volunteers going down with the new ones. If there is space in the car, they can give detainees' friends and family a lift so they can visit.

SDV also has a drop-in at Dungavel. For the evening visits, SDV has to know people's names so they can be called for the visit. The drop-in is a chance for anyone to come down and speak to them. The drop-in used to be on the third Monday of every month. As of January 2018, there is now a drop-in twice a month on a Wednesday.

SDV makes sure that people have legal representation and can contact lawyers on people's behalf. It can also contact family members. It can give people a £30 emergency payment if they're going to be released or removed, so they have some money when they first get out. SDV also have 14 phone cards to give out every week, so people can top up their phones.

SDV advocates on the issue of detention by working with members of the Scottish Parliament (MSPs) and taking part in campaigns that are happening. It is often contacted for information when something happens, like the death in Dungavel that occurred in September 2017. SDV also took part in a United Nations Refugee Agency (UNHCR) event at the Scottish Parliament in February 2017, aimed at getting MSPs to look at alternatives to detention:

You look at the countries that are looking at alternatives to detention, investing in really solid casework; they work so much better. You've got a higher rate of voluntary return, you've got people feeling engaged with rather than forced upon, and it makes a massive difference.

SDV also advocates to keep people on asylum support:

I mean it's terrible money and terrible accommodation often, but it's still money.

The Life After Detention Group

The Life After Detention (LAD) group grew out of SDV, seeing “the impact that detention has and the struggle that folk have when they're released”. SDV is currently the only organisation in Glasgow doing something specifically aimed at people post-detention.

The objective when the group started was:

Providing a safe space where people could get some peer support and just not feel quite so lost, and find their feet, having been institutionalised – whether for ages or a shorter time – and then be bewildered when they're kicked out. Just to provide that safety net almost for folk.

The group is only open to people who have been detained. One of the group members has said to the SDV coordinator, “I can come here and I'm with people who understand; they know where I've been”.

The group offers support to a mix of people. Some have been granted status. Some have literally just arrived in the UK and were detained when they first arrived. Some are at the end of the asylum process and were detained for a while before being released. Some “have lived in London all their lives, committed a petty crime, ended up in jail, then ended up in detention and been bailed to Glasgow”. For many of the group members: “Scotland's new. They know nothing about it and they know nobody, so to help with orientation and just immediately have a group of supportive people around folk”.

The group has a stable core of 12 people, who welcome newcomers and occasional attenders. There can be up to 20 people at their regular meetings.

Sometimes we'll go round and each say our name and how long we've been in detention for. And then we total up and say, “Look, between us we've lost four, five or six years of life”. I think that's very poignant for some people.

The group provides “a space where people can feel safe and trust each other”. People “can just come along and be together and get some peer support, some signposting and have some fun”. The group's emphasis is on **LIFE** after detention.

The LAD group's activities

A large part of the programme of activities is generated by the group. Generally, the group meets every Tuesday for a couple of hours and share some snacks. SDV pays for people's transport. In addition, the group has regular ‘cook-ins’:

One of our volunteers has got a really nice house and garden, so different folk take it in turns to cook their own food or anything they want to cook. And we all go and we just have an evening hanging out in her lovely house and garden; just being together.

The group goes on outings: “so we'll have a day out in Edinburgh and explore Edinburgh”. Sometimes they go to the park and have a picnic. Currently, they are planning a two- or three-day trip to the Scottish countryside. There are also free events in Glasgow that they can tap into:

So things like Bridging the Gap or Garnetthill Multicultural Centre have events and folk can go along and get a meal. So I try to find out about things that are happening because we've got some people who are destitute. They might have a roof over their head because they're staying with other people, but they've got no money. So things like Social Bite are amazing, you know, offering food and things.

The LAD group has written two poems – Because of detention and In spite of detention – which can be found on page 26 and 37 of this report. Group members read one of the poems at the Solas Festival, at the UNHCR event in the Scottish Parliament, and at the SDV event in the 2017 Refugee Festival Scotland. Two members of the LAD group also attended the 2017 Sapphire Ex-Detainee Conference.

One of the SDV volunteers is also a professional filmmaker and has helped the LAD group put together a short film (<https://vimeo.com/246877333?width=1080>):

We took a different theme each week and folk made one-minute movies on their phones. So ‘Being Together’ was a theme. ‘Cooking’ was a theme, which a lot of them were like, “Brilliant, I'm in a hotel with my children and I can't even cook at all”. The ‘non-cooking’ is interesting to show and folk with status moving in to kitchens that aren't equipped or don't even have a cooker.

The SDV coordinator has taught the LAD group some simple holistic wellness practices, which she does through an organisation called Capacitar:

And they've actually said, "Oh we want more of that". It's the kind of thing that can help when people can't sleep. It's practical methods to use to either energise yourself when you're really depressed or calm yourself when you're really stressed.

Some of the problems experienced by group members

The SDV coordinator often sees people battling with mental health issues:

I think folk really struggle when they're in, and I think once they're out. I mean, yes, there are huge amounts of anxiety and sleeplessness and real fear, especially around signing.

People in detention battle with living in uncertainty:

Folks will say, "In prison you're counting down [days], in detention you're counting up". And having absolutely no idea of if you're going to get out, and when, and how. And if it's going to be handcuffed on a plane going back to a country that you might disappear in, or thrown out to destitution in a city you've never lived in before.

That uncertainty remains when people are released:

Here that uncertainty's reflected again because you've got no idea how long you're going to be in a system that doesn't let you work, doesn't let you really, fully live your life

Reporting is a big issue for those released from detention:

Folk arriving here [at the group] and saying, "Yes I went to sign today and I'm still out of it". And then they have a little while where they've got like euphoria and then it starts to eat away and nag at them again. So then that's impacting on all aspects of life, they're not able to have a full life because that's just dragging people down.

The coordinator also mentioned the issue of people who cannot be returned because they can't get travel documents:

Give them at least a year or two years or something, you know, to work, earn a living, give something back; have a normal life. And then review it and see. But this idea of, "Well

we can't send you back but we're not going to let you properly stay" is just wrong.

Moving on from the LAD group

Some people move on from the group, which the SDV coordinator sees as healthy:

There comes a point where it's like I don't want "I used to be in detention" on my forehead as my identity; so folk leave. I think that's good as well that people then move on.... There's one person who has got status, found a job and was saying, "Yes, I might not be able to come anymore". I think that's just a natural transition and that's fine.... So it provides that opportunity for people for a while and then they move on.

People sometimes don't have a choice about leaving the group if they are dispersed to another area.

Why is the LAD group important?

The group manages to bring together very different people:

It's just nice seeing the way that they are all linking with each other and helping each other, connecting. It's such a disparate group in term of age and gender and nationality and language.

The SDV coordinator feels that mutual respect is a key ingredient of the group's success. She feels the group has matured:

I feel now we're almost at a stage – that's taken a while to get to – where it feels like a kind of coherent, safe contained space where people are sitting together and sharing. They're sharing their pain; they're sharing their joy, and just being together really.

Some comments from group members about the value of the group include:

The people are very nice and talking like for the mind is relaxing.

I meet lovely people, chat, share experiences and stories.

I know people have suffered the same things as me – they can feel my pain and I can feel theirs. The past is the same, the future is together, and we can support each other.

Appendix D The Verne clothing support project (British Red Cross)

In July 2015, initial discussions between management of the Verne Immigration Removal Centre (IRC) and the British Red Cross led to the identification of areas where the Red Cross could assist the Verne in addressing certain humanitarian needs. In particular, the Verne highlighted the challenge they face in meeting some of the welfare needs of men when leaving the centre. Due to some people's circumstances prior to detention, as well as the unpredictable manner in which people can arrive at and depart from the centre, they can be at risk of leaving the centre without weather-appropriate clothing.

The Red Cross has a special, officially recognised status and role as an auxiliary to its country's public authorities, and felt it was appropriately placed to assist the Verne with this issue. In September 2015, as part of a pilot project, the Red Cross began providing clothing packs made up of donated and bought items for men leaving the Verne. The packs typically consisted of a jacket, jumper, T-shirt, trousers and toiletry-set, with shoes provided when needed. The clothing-packs and shoes were stored at the Verne and reception staff would assess the needs of those departing and issue the provisions, supplied by the Red Cross, as appropriate.

In October 2017, the Verne provided the Red Cross with a room in the reception area, which had space for clothing items to be stored individually on hanging rails, rather than in packs. This was done to increase the level of autonomy and choice, as well as the dignity of the men leaving the centre. The new system enabled them to select the items of clothing they needed, and feel comfortable in themselves, rather than being given a pre-selected pack.

The project has now ended due to closure of the Verne as an IRC in December 2017. The Red Cross is now considering how to use learning captured from the pilot project to inform future projects and activities in relation to detention. The project lead, as well as management at the Verne, provided some insight into the value of the pilot project:

During this project's lifetime, we have been able to provide clothing, shoes and toiletry packs to a number of men leaving the Verne. One of the fundamental principles of our organisation is humanity, and so it seemed appropriate that we would aid in ensuring that those leaving the Verne do so with the clothing needed to keep warm and dry.

Working closely with the Verne has been intrinsic to the ability of both parties to support the men on departure from the Centre. The British Red Cross has been able to provide the humanitarian resources required, and the Verne is able to ensure that our resources reach the men who need them. Without working together, this project simply would not have been possible.

Much still remains to be done to ensure that the people who are released from detention have the necessary material resources and knowledge to help them cope, manage and be resilient on their onward journey. However, this project has been an example of how people's welfare needs can be met better on leaving the estate. (Helen Osborn – Detention Coordinator, British Red Cross refugee support service)

The clothing project provided by The British Red Cross has been invaluable at the centre.

This important facility has assisted IRC The Verne to provide appropriate, warm and comfortable clothing to detainees who need it. This has demonstrated a level of positive humanity to vulnerable people released at very short notice into our communities. Working together with the British Red Cross has overcome many welfare issues and improved the delivery of service to detainees at the Verne. (David Holloway – Her Majesty's Prison and Probation Service Custodial Manager, Activities and Welfare Services, the Verne IRC)



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