

## AVID

### Association of Visitors to Immigration Detainees

Patrons: Colin Firth, Lord David Ramsbotham, GCB, CBE and John Scampion, CBE  
Registered Charity No. 1063784

# In Touch

128 (May 2014)

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### News from AVID

#### 'Deaths in detention, are lessons being learned?' AVID AGM 14.05.2014

Thank you to all members and supporters who joined us on the 14<sup>th</sup> for our Annual General Meeting at Garden Court Chambers. It was great to see so many of you there. The event focused on the topical theme of 'deaths in detention', which sadly has become an issue that none of us can ignore. Our guest speakers, Nigel Newcomen the Prison and Probation Ombudsman, and Deborah Coles of INQUEST, provided much for us to think about as visitors. Every death in detention is a tragedy. We heard their perspectives on some of the recent deaths and the extent to which recommendations and lessons are taken forward by the Home Office. Sadly there seems still much work to do, with even basic measures such as an Emergency Response DSO constituting a major gap in terms of safety. Nigel warned that lessons from the prison system are not being taken forward by the Home Office, a major concern. Deborah Coles spoke about the imbalance of power at inquests when families are not represented, yet the Home Office and its sub contractors are often able to

afford substantive legal help. She discussed the role of visitors and NGOs in helping to follow up after a death in detention by asking questions locally at the detention centre, and also by providing support at the Inquests by being present and playing a monitoring role. We are very grateful to both speakers for their input.

#### Latest Annual Report from AVID!

We are delighted to have published our latest annual report for the year January – December 2013. All members will receive copies in the post.

#### 20<sup>th</sup> Anniversary

2014 marks the 20<sup>th</sup> anniversary of AVID, which was set up in 1994. We are marking this year with a series of activities celebrating volunteer visiting. The role visitors have in ensuring detainees voices are heard and in providing basic support, and much more, including case work and shedding light on the realities of detention, is so important, and yet is often not recognised outside the detention sector. We are starting an **ORAL HISTORY PROJECT** which will record the testimonies of visitors old and new. We are currently recruiting a volunteer to help with this project (see opportunities, below). We will be in touch with members about being part of the process when the volunteer is in post. We'll also be looking to gather old visitors handbooks, old letters, or other items from your visiting, if you are happy for them to be part of our "visitors archive". Please contact the office for details.

We are also fundraising for the 20<sup>th</sup> anniversary projects. You can donate simply and easily by **texting AVID20£10 to 70070 to make a £10 donation**. Or if you are feeling adventurous, why not **join the AVID team at this year's British 10k** through central London on 13<sup>th</sup> July? We still have places left - contact the office for details!

## Detention Update

Do you have any items for next month's newsletter? If so please send to [avidnews321@gmail.com](mailto:avidnews321@gmail.com) by May 15<sup>th</sup>

## News from Members

### Samphire's Ex-detainee conference 2014

The Samphire project will hold their annual Ex-Detainee Conference on Thursday 19 June in London. The all-day event will take place in the Amnesty UK offices in London. For more information and to book a place contact [ex-detainee@samphireproject.org.uk](mailto:ex-detainee@samphireproject.org.uk).

The event is a great chance to hear about the work of Samphire's Ex Detainee project in the last year and also to hear from former detainees themselves about the issues.

### Yarl's Wood Befrienders AGM, 27<sup>th</sup> May 2014

Yarl's Wood Befrienders are holding their annual general meeting on Tuesday 27th May at All Saints Paris Church (Westbourne Road, Queen's Park, Bedford, MK40 4LD). Campaigner against FGM, Leyla Hussein, will be the guest speaker. Although voting rights are restricted to members of Yarl's Wood Befrienders, everyone is welcome to attend the meeting and refreshments will be provided.

### Haslar Visitors Group 'Access to Justice Project'

The Access to Justice Project, part of Haslar Visitors Group, is now established and registered with the OISC to give Immigration Legal Advice to Asylum Seekers, Refugees and Immigrants. Their office is at All Saints, along the corridor from the main office, and it is open on Thursdays and Fridays. They can be contacted at [acesstojustice45@gmail.com](mailto:acesstojustice45@gmail.com), by telephone on 0239 229 6831 and directly at the office.

### Children separated from their parents at Cedars

Barnardo's, the charity providing welfare and social work at Cedars, has published a report on their first two years of working in the detention facility ("pre departure accommodation"). They have expressed concerns and made recommendations to improve the protection of families and children held at the centre. Importantly, they reported that children were being separated from parents as a way of 'controlling' the latter, one of their main recommendations being "ensuring children are only separated from their parents when there are safeguarding or welfare concerns."

Other key recommendations:

- *Improving the arrest and escorting arrangements for transporting families to Cedars, or to the airport and then overseas.*
- *Providing clarity and consistency around managing non-compliant behaviour.*
- *Challenging the numbers of families for whom Cedars is not the end of the process, and who potentially face re-arrest, transport and return at a later date.*

To access the report click [here](#). To read Guardian coverage click [here](#) and for Crawley News [here](#).

### Detention of children: statistics released for April 2014

The Home Office has released its figures for the detention of children in April 2014. A total of 4 children were held, two in Cedars, one in the Tinsley family unit and one in Yarl's Wood. You can access the official figures [here](#).

### Mass protests in detention centres

Mass protests at Harmondsworth soon spread to other detention centres this month, as detainees

attempted to raise awareness of their plight and protested against the conditions in which they are held. Reports were that more than a hundred took part in mass demonstrations in Harmondsworth, including sit down protests and hunger strikes. One of the main motivations of the protest is the application of the fast-track system for asylum seekers. Protests were also reported in Campsfield House and Brook House. For Politics.co.uk coverage click [here](#), for The Independent coverage click [here](#).

The text of a letter to the government from the group of hunger striking detainees at Harmondsworth, outlining their concerns, is available [here](#).

### **Serco to be investigated by MPs after internal report published**

Following the recent legal challenge in which Serco lost in its attempt to prevent their internal report into the recent sexual abuse allegations from being published, MPs have raised significant concerns about the internal report and calls have been made for an inquiry. Chair of the Home Affairs Select Committee, Keith Vaz, expressed his intention to call prominent Serco figures to parliament next month to give explanations for their actions. Read media coverage at [BBC News](#), [The Independent](#) and [Guardian](#).

### **Aljazeera highlights plight of detainees “in limbo” in UK detention**

Aljazeera published an article ‘In limbo: inside Britain’s detention system’ which analyses the situation of immigration detainees highlighting the length of detention, the detention of women, and cases of violence and abuse. The article includes commentary from our Patron, Lord Ramsbotham, on his concerns regarding immigration detention. The article also highlights the fact that after serving lengthy periods of detention, most detainees end up released, not deported. Read the full article [here](#).

### **Radio documentary highlights the real experiences of those held indefinitely in detention centres**

BBC Journalist Catrin Nye spoke with detained men and women by phone over a three month period, hearing their stories and testimonies of life in detention. In a radio documentary for BBC Asian Network, the output of this three month work is a powerful and at times upsetting human account of life in detention. It is a useful reminder of why it is important we visit and spend time ensuring these stories are told. Listen to these testimonies [here](#) and read the BBC News article [here](#).

### **Global Detention Project report: *How and Why Immigration Detention crossed the globe***

Michael Flynn of the Global Detention Project has published a report on the evolution and scale of immigration detention globally. It provides an account of how key policies and practices related to immigration detention spread between various countries during the last 30 years. You can access it [here](#).

## **News, Publications, Reports**

### **Refugee Council’s advice service for newly recognised refugees**

The Refugee Council is proving an advice and advocacy service for refugees who have received their status within the last 12 months. It is targeted at adults, including families, who need help to make the transition from asylum support to mainstream support and services. It offers advice about:

- Immigration documentation
- Welfare rights
- Housing
- Access to health
- Training / employment

These services are appointment based only, running from Monday to Friday (except Wednesdays) and are located in Stratford, East London. To make an appointment

contact  
[refugeeadvice@refugeecouncil.org.uk](mailto:refugeeadvice@refugeecouncil.org.uk) or call  
the 020 7346 1166.

### Howard League calls to ban G4S and Serco for bidding for government contracts

The Howard League for Penal Reform are advocating to ban G4S and Serco for bidding for government contracts *'until a major fraud investigation into their practices has been completed'*. Their new report **'Corporate Crime? A dossier on the failure of privatisation in the criminal justice system'** details the failures of these companies. You can access the press release [here](#) and Guardian coverage [here](#).

Under the title 'Welcome to Britain, the new land of impunity', journalist George Monbiot criticizes Home Office's backing of G4S. Read it [here](#).

### Refugee Women's Strategy Group: new report

Refugee Women's Strategy Group, with the support of Scottish Refugee Council, has launched a new report **'Speak for Yourself'** in which they engaged with 100 refugee and asylum seeking women between June and November 2013. Key issues identified are:

- **Asylum process** involves high levels of stress and other mental health impacts; also, women felt they were treated without dignity or respect. A *'culture of disbelief within the Home Office'* was also identified.
- Poor **housing** conditions, accommodation overcrowded and failing to meet family's basic needs.
- **Employment**: difficult to access the right to work and discrimination on employment.
- **Belonging**, racism as a major barrier for integration.
- **Health**, impact of the asylum process in mental health, the lack of counselling, need for more female GPs and language interpretation services.
- **Support services**, a lack of information of where and how to access these services.

The report makes several recommendations to tackle the problems identified. To access the full report click [here](#).

## Law and Policy

### ILPA Immigration Update and Information Sheets

ILPA has published their new Immigration Update (59), where you can find information about the Immigration Bill. Access it [here](#).

There have also published two other information sheets which may be of interest:

- [Legal Aid 17 - the Residence Test](#)
- [Report on new contracts for asylum seekers' accommodation](#)

### Unlawful detention of pregnant woman

*Thanks to Bhatt Murphy Solicitors*

The Home Office has admitted falsely imprisoning a pregnant woman at Yarl's Wood immigration detention centre. The Claimant was over six months pregnant when she was released. Jane Ryan of Bhatt Murphy acted for the Claimant. Jane is a Trustee of AVID.

Following its admission of liability, the Home Office has agreed to pay substantial damages to the Claimant as part of an out of court settlement. This case follows a June 2013 report by the charity Medical Justice, Expecting Change, which raised serious concerns about the treatment of pregnant women detained under immigration powers. Read more [here](#).

### Joint Committee on Human Rights criticises proposals to change judicial review

In a recent report, the JCHR has criticised the proposals made by Chris Grayling to change the judicial review process, saying that the proposals don't 'demonstrate the necessity' and the case isn't strong enough. You can read the JCHR report *The Implications for Access to Justice of the Government's proposals to reform judicial review* [here](#) and the Guardian coverage [here](#).

### **Detainees at Verne ignored in quarterly statistics**

[HC Deb, 28 April 2014, c438W](#)

**Sarah Teather MP** (*Brent Central, Lib Dem*) asked if the number of individuals held under immigration powers at The Verne will be published as part of the immigration quarterly statistics. **James Brokenshire** (*Old Bexley and Sidcup, Con*) said that HMP The Verne will become an IRC in September 2014, and only then will it be included in the official statistics.

*(Note: this means that the true number of immigration detainees at any one time will be inaccurate, as it will not include the Verne or other prisons).*

### **Forced removal of unaccompanied children**

[HC Deb, 28 April 2014, c428W](#)

**Sarah Teather MP** (*Brent Central, Lib Dem*) asked “*how many unaccompanied migrant children have been forcibly removed to another country in each of the last five years.*” **James Brokenshire** (*Con*) replied that forced removal of children is only carried out if there are suitable reception arrangements in place in the country of origin. He stated that “*the majority of unaccompanied children whose asylum claims are rejected are granted temporary leave which is reviewed when they reach 17 and a half years of age*”. The exceptions are the transfers to other EU countries under the Dublin Regulations. He provided figures of removals between 2006 and 2010 stating that Home Office believes most of them to be transfers under the Dublin Regulations. To see the figures click on the Hansard link above.

### **Enforced removals of adults previously classified as unaccompanied asylum seeking children**

[HC Deb, 30 April 2014, c713W](#)

**Sarah Teather MP** (*Brent Central, Lib Dem*) asked, as a follow up to the answer of 24 March 2014 on “*asylum: deportation*”, “*to which countries the enforced removals of adults previously classified as unaccompanied asylum-*

*seeking children (UASC) were made in each such year.*” **James Brokenshire** (*Con*) provided a table with the relevant information which is accessible at the Hansard link above. The top three countries were Taiwan, Ghana and Pakistan.

### **Children separated from parents in Immigration Bill**

[HL Deb, 6 May 2014, c393W](#)

**Lord Watson of Invergowrie** (*Lab*) asked if the government has carried out an assessment to find out how many children would be likely to be separated from parents regarding the provisions of the Immigration Bill. **Lord Taylor of Holbeach** (*Con*) replied that their starting point is that it is in the best interest of the children to remain with their parents, also when the parents are removed from the UK. Thus they have not made any assessment regarding this matter.

### **Immigration detainees in prison**

[HL Deb, 6 May 2014, c394W](#)

**Lord Hylton** (*Crossbench*) asked how many detainees were held in prison, and “*what assessment they have made of the impact of such persons on the rehabilitation of British prisoners.*” **Lord Taylor of Holbeach** (*Con*) replied that on the week of 31 of March, there were 720 immigration detainees in prisons. This number includes a small group of people that have not served a custodial sentence. He also said that: “*Foreign national offenders held in prisons beyond the end of their sentence under immigration powers are normally held in unconvicted conditions. Their presence in these prisons does not affect the rehabilitation of British nationals whose access to accredited interventions and other rehabilitation services is governed by risk of offending and offender-related need.*”

### **Yarl's Wood: Lords ask questions on why UN Special Rapporteur denied access**

[HL Deb, 6 May 2014, c1400](#)

**Lord Ramsbotham** (*cross bench*) asked the Government why the UN Special Rapporteur was denied access to Yarl's Wood. Lord Taylor of Holbeach replied that a visit to the detention centre was “*never agreed as part of this fact*

*finding mission*". Lord Ramsbotham pointed out that "it can do our national reputation no good at all if it should ever be felt that the United Kingdom is refusing access to a UN special rapporteur who is here in connection with the signature that we have given to the optional protocol on the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment. Therefore, I hope very much that, in future, that position will be clarified, as the publicity can have done no good at all. I would be very grateful if the Minister could inform the House of what action will be taken to ensure that future visits can be properly handled". There followed an interesting debate, in which a reason could not be given for denying access to the UN Special Rapporteur. You can view the full debate on Hansard at the link above.

**Prison and IRCs budgets**  
[HL Deb, 6 May 2014, c421W](#)

**Lord Bradley** (Lab) asked for the current population in each of the UK's public and private prisons, and what is the budget for each prison of each type. **Lord Faulks** (Con) replied with a table, which includes the NOMS run detention centres, with figures at 28 March. The budgets were apparently not available. The full table is available at the link above, but we have extracted the relevant information on detention centres here:

Dover IRC	259
Haslar IRC	162
Morton Hall IRC	388

**Number of removals under Dublin regulations**  
[HC Deb, 13 May 2014, c450W](#)

**David Hanson MP** (*Delyn, Lab*) asked for the number of people that have been removed from the UK under the Dublin Conventions in each year since 2010. **James Brokenshire** provided the following table:

<i>People removed</i>	<i>Number</i>
2010	1,449
2011	1,308

2012	970
2013	1,020

**Assisted Voluntary Return - detainees**  
[HC Deb, 13 May 2014, c451W](#)

**Sarah Teather MP** (Brent Central, Lib Dem) asked "how many immigration detainees left the UK through the assisted voluntary returns programmes in each of the last five years." **James Brokenshire** provided the following figures:

*Detainees departing through AVR*

2009	585
2010	824
2011	848
2012	1,150
2013	2,081

**Withdrawal of funds for AVR/Choices service**  
[HC Deb, 13 May 2014, c451W](#)

**Sarah Teather MP** (Brent Central, Lib Dem) asked "what reasons she will no longer fund the detention element of the Choices service from 1 April 2014; whether an alternative assisted voluntary returns programme will be made available to immigration detainees; and what assessment she has made of the potential effects of this decision on the number of (a) assisted voluntary returns and (b) enforced removals." **James Brokenshire** replied that "An assessment of the impact of this change is in train and the range of possible alternatives is complex. A full written response on the issue will be provided to the Member in due course, and the letter placed in the House Library."

**Series of questions on post sentence detainees in prison**  
[HC Deb, 13 May 2014, c459W](#)

**Sadiq Khan MP** (*Tooting, Lab*) asked how many "what the average length of time spent in prison awaiting deportation for those foreign national prisoners beyond the end of their sentence was in the latest period for which figures are

available". James Brokenshire provided a table with the data requested:

Time Held	Total
0-1 month	110
1-2 months	110
2-6 months	285
6-12 months	200
12-24 months	100
24- 60 months	35
60+	10
<b>TOTAL</b>	<b>850</b>

Sadiq Khan then asked "how many foreign nationals who have served their sentence but are awaiting deportation there are in each prison". A full table is available at the Hansard link above.

We are looking for a person with strong research and communication skills and an interest in and commitment to issues of migration, asylum, human rights and detention. The post would require an availability of at least 2 days a week for 3-4 months; it will involve travel around the UK, as well as potentially some volunteering outside of office hours, depending on interviewees' availability. Reasonable travel and subsistence expenses will be reimbursed.

If you are interested in applying, access the full person specification [here](#). Closing date is May 30<sup>th</sup>.

**AVID, May 2014**

## Events

### Debate 'Who needs legal aid?'

As part of the City of London Festival, a series of lectures, interviews and debate will take place around the topics of justice, money and power. On Thursday 3<sup>rd</sup> of July at 6.00 pm, featured speaker Peter Hughman will lead the debate 'Who needs legal aid?', an opportunity to discuss the role of legal aid and the series of cuts that are being carried out by the coalition government. For more information including the venue click [here](#).

## Jobs and Volunteering

### Oral History Project Volunteer for AVID

To mark our 20th Anniversary we would like to record the story of volunteer visiting: to create a resource and archive of testimony of the development and growth of volunteer visiting in response to the expansion of immigration detention in the UK, the personal and varied relationships between visitors and detainees. The role will involve interviewing visitors, former visitors and former detainees and recording people's experiences of immigration detention, of visiting and supporting people in detention, and of the impact that visiting has had on their lives.