

GDWG newsletter

Autumn/Winter 2011

Gatwick Detainees Welfare Group

The proposed Legal Aid cuts: How will this affect those in detention?

As you read this, the campaign to save legal aid is at a crucial stage. The Government has pushed a Bill through Parliament that would strip back the system for free advice and this has now reached the House of Lords. It passed through the Commons with barely a scratch but hopes are that peers will pull it apart and really examine what may happen if the Bill becomes law.

The Government wants to cut legal aid in many areas, but advice for bail will stay. Isn't that enough for a detainee?

Well no, not really. At present, the Bill would keep legal aid for advice on bail and asylum but no other immigration work. Detainees would not get a free lawyer to help with a claim to enter or stay in the UK if it was based on any non asylum ground, like rights to a family or per-

sonal life. In itself, this is wrong, not least because it's so hard to negotiate immigration laws without legal advice. But it also doesn't fit with the Government's wish to protect advice where liberty is at stake. How can you divorce liberty from the underlying immigration case and the immigration decision that leads to someone being held i.e. a decision about removal or deportation? These



things are fundamentally linked, and the connection can be seen in an every day bail application. Research by BiD has shown that the risk of absconding is the number one argument used by the Home Office against bail. If your claim against removal is progressing you have an incentive not to do a quick flit, which does wonders for your chance of release. It will be much harder for detainees to advance their cases without specialist legal help.

Worse, detainees may find it harder to get a decent lawyer if the Bill goes ahead, even if it's just for bail.

These cuts go so far and so deep that many quality practitioners look set to suffer the fate of RMJ and the IAS as they will struggle to survive on reduced fees and areas of work.

I used to be a visitor, and was once thanked by a detainee, "for remembering that I exist". It didn't feel much to share a cup of tea and an hour of my life. But these small offerings were special to her, cut off from the world, without money, poor English and very little hope. When I think of the cuts, I think of the reality of life as a detainee and how hard it is when there is such disparity between you and the state that holds you in. Any politician who supports the bill in its current form overlooks this reality and the connection between detention and immigration status. As visitors, you can remind them. There is still time as peers can amend the Bill, bringing back key areas that have been cut like legal aid for removal and deportation, family reunion and cases involving children. Check out the websites for Save Legal Aid, Justice For All and Sound Off for Justice for ways to take action. Your help now could make a real difference to so many lives in the future.

*Carita Thomas is a member of Young Legal Aid Lawyers
www.younglegalaiddlawyers.org*

Inside this issue...

Volunteers' pages	2-3
UNHCR conference	4
Brook House newsletter	5
News	6-7
Dates for your diary	8

Meet Dahbia

Meet the voice on the end of the telephone if you have recently called the office on a Monday morning. Dahbia has volunteered in the office for seven months since being made redundant from the Refugee Council due to funding cuts, and their loss has been our gain! Dahbia has used her Arabic and French language skills and describes how rewarding it has been when detainees have responded positively to her. They say they feel that in her they have found someone who understands not just their language but also their own culture. Dahbia attends a mosque in Brighton and described, when I interviewed her, how she had just celebrated Eid Al Adha.

Dahbia came to the UK from Algeria twenty years ago. Having studied teacher training there and taught English, she says that gender issues made life difficult for women. She vividly remembers the

culture shock when she arrived in the UK and how no friendships she made could ever replace the closeness of family. She explains how this experience has helped her to understand something of the emotions felt by detainees



who are far from their family and the friends they grew up with. Dahbia worked as an interpreter and a supply teacher before working as a Children's Advisor for unaccompanied minors and completing a Masters degree in Refugee Studies. Dahbia first heard of GDWG when she worked as a Children's Advisor both when our volunteers contacted her and when she called the office to discuss specific cases of individuals who needed our support.

Volunteers'

Dahbia attended meetings at Tinsley house whilst she was a link worker between the Centre and the Children's Section. Dahbia has a passionate response to seeing the inhumanity of long term detention, seeing errors in law in asylum cases, and witnessing a legal system that can seem impenetrable to detainees.

We have been fortunate to have Dahbia's patient presence in the office through our office move and a change to a new database. Her time helping us in the office has come to an end with new work commitments though she will continue to visit for GDWG. Thank you, Dahbia and our good wishes for the next stage of your working life.

By Anna Pincus

The Longest Day - A treat in store!

Please keep the evening of Thursday June 21st 2012 free. We are putting together an evening of entertainment during Refugee Week which we hope will appeal to visitors and also bring in the wider commu-

nity and raise awareness of the issues around detention.

We have booked the Hawth Theatre in Crawley and it will be an eclectic evening including music, comedy and drama. Come and see Steve Punt (from 'The Now Show') and Sheila Hancock who will compe the evening. Where else

could you see Michael Rosen, the hip hop poet Inua Ellams, musician Joni Fuller and Attila the Stockbroker sharing a stage? In addition, there will dance/drama from Reigate College and art from local schools inspired by the theme 'The Longest Day : comedy breaking through'

pages

You have all had that experience -- just as you get to know your detainee, he is transferred to another Removal/Detention Centre. Sometimes I continue visiting at the new centre, which can turn out to give a huge boost to the morale of the detainee! (It tells him something about our friendship).

5 of the detainees I have been visiting have been transferred to Harmondsworth (Heathrow) which is about 3 times the size of Tinsley House, and has a strict regime centre, Colnbrook, right next to it. The staff are very multi-cultural and generally helpful, but the waiting to get in often takes hours on a busy day! There is a most complex electric sliding door entry system, remotely controlled, which makes you wonder whether you might one day get forgotten and left there, detained in transit! The visitors room is big and light.

The extra mile: Experiences of Visiting Detainees Transferred from Gatwick to other IRCs

My only disturbing experience there was when one detainee was in danger of becoming violent towards his female friend, and the "heavy mob" of 4 burly men came in to remove him physically. During the stay of one detainee, there was a riot and fire at Harmondsworth, and detainees were forced to leave all their bags there while they were bussed to distant centres. To ensure that my detainee did not lose all his belongings, I made many complicated telephone calls across the country, arranging for these belongings to be labelled and retained, but eventually he was able to retrieve them.

5 of my detainees were transferred to Haslar (at Gosport, Portsmouth). This is very obviously a grim old Naval prison, run by prison staff, in some ways much more primitive, with dormi-

tories, and the wind whistling straight off the sea. Strangely, it has the best education facilities of all the southern centres. For years, they never searched visitors on entry! Now they offer you free teas in the visits room!

Once only did I manage to get a French-speaking detainee returned to Tinsley from Haslar, writing a letter for him in English!

The furthest I have followed a detainee was to Rochester Prison! That was grim! Drug-sniffing dogs and regimented entry by batches of 20 !

But my detainee wrote me the most moving piece about the mother bird and her chicks he could see through his cell window! Inspiration arises in surprising places!

By Martin Dore, Horsham group

We will need your help to promote the event. Please encourage your friends to come along.

Tickets, which we have deliberately priced very competitively, will be available from The Hawth Theatre, Crawley - £15 (£10 concessions).

Congratulations to our Brighton volunteer, Maude Casey, who was recently given an award at the Medical Justice Christmas party and awards ceremony, for her friendship and compassion to detainees, and to one detainee in particular who she helped through a very difficult time.



GDWG attend a UNHCR conference on alternatives to Detention, Brussels 16th November 2011

I was fortunate enough to be allowed the opportunity to attend this regional conference as a member of the Coordination Group of the Detention Forum, due to the generosity of The Diana, Princess of Wales Memorial Fund. The event was organised off the back of a global roundtable on the subject which had happened in May this year. This roundtable had a number of key messages, including the following:

There is no empirical evidence that detention deters irregular migration or discourages people from claiming asylum.

Seeking asylum is not a criminal act and asylum seekers should not, as a consequence, be penalized by placing them in detention.

Alternatives to detention are a necessary part of any assessment of the necessity and proportionality of detention.

Current research shows that over 90% compliance or cooperation rates can be achieved when people are released to proper supervision and facilities.

There were numerous speakers during the conference, from representatives of states (including the UKBA), to lawyers, mental health

professionals, the UN, EU and various NGOs. The overall theme was that of exploring current practices and possible future expansion of alternatives to detention in different states in Western Europe, and the human rights and social costs of detention.

I think what struck me most listening to the various presentations, is that there really are viable alternatives out there, if the schemes are run properly and not just imposed onto those liable to be detained. Schemes in Australia and Canada in particular have achieved very good results in terms of non-absconding and take up of voluntary return for those who are not allowed to remain in the countries. The emphasis is very much on providing good quality advice and information throughout the whole asylum or immigration process, and in this way trying to avoid the adversarial relationship that often seems to build up between detainee and the government body who are responsible for deciding what happens to them. As we all see every day, detention centres are often breeding grounds for resistance amongst detainees to whatever the UKBA tells them, resulting in a kind of 'fight them at any cost' mentality which is very damaging for the detainee, and

very obstructive for the Border Agency. It would appear to be common sense that if asylum seekers and other migrants feel as though they have had a fair decision after a fair and transparent process in which they were an active and not a passive component, and have been treated humanely throughout, there is much more chance of them cooperating with the decision that is made at the end of it, even if that decision is a negative one. If they feel that this has not happened, and that they have not had a fair hearing, they are much more likely to resist, which currently results in the widespread detention we see in the UK.

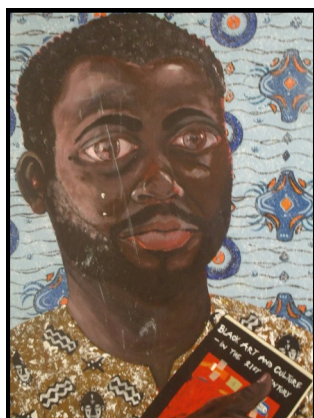
Detention does not really seem to benefit anyone, least of all those who are detained, but also governments who spend vast sums on depriving people of their liberty and damaging them in the process, damage which has to be repaired at a later date, often at the taxpayer's further expense. It was encouraging to see that there are many states who seem to be accepting that other options need to be explored, including our own. The test now is whether these options are planned well enough and invested in adequately to ensure that they are successful, as they undoubtedly can be.

Nic Eadie

Speak Out!

GDWG work with detainees on new Brook House newsletter

A group of people detained at Brook House approached GDWG to ask for our help to produce a book or magazine about their experiences in detention. After a few meetings we decided to start small with the hope of getting bigger; so our first project is to produce a newsletter that would be distributed to Brook and Tinsley House and then hopefully across the detention estate on a quarterly basis. It has taken a while to spread the word and gather enough material for the first edition. Delays have been inevitable because of frequent movement between



centres. However, we have now completed an eight page newsletter and called it 'Speak Out'. The first edition includes

contributions from NGOs and staff at Brook House along with articles, poetry and art work from people in detention and recently released.

Throughout the discussions and



meetings the main feeling that I gathered from detainees was a desire to want to control and produce something themselves, to be empowered and wanting to be heard. As we all know, many things happen in detention that the general public don't know about, perhaps don't want to know about and perhaps chose to ignore or disbelieve. We, as visi-

tors and detainees know what can happen in detention centers or on removal from the UK, the down falls of the system and how hard it is for people to be detained and the difficulties people can face even on release. The poems, art work and articles about people's experiences and reflect their realities. Below is a poem by a woman in Yarl's Wood and the pictures are all pieces of art work from men detained at Brook House. If you know somebody who would like to contribute to Speak Out please ask them to send their comments, ideas, articles, poetry, song lyrics or art to newsletter@gdwg.org.uk

Hannah Jackson



Shut up in here

*Shut up in here
Away from civilization
Different faces, different nations,
Each one carrying their own crosses.
Suffering many countless losses.
Lives are shattered, ripped apart,
Others given a brand new start
At times it gets too much to bear
Then, suddenly, you turn around and cheer
Joyful that someone's been set free
One day soon, that'll be you or me.*

*Shut up in here
Away from life's realities
Many differing nationalities.
Each bound up in so much strife,
Somebody's mother somebody's wife.
Weighted down with a world of stress,
Needing to feel a loving caress.
Plucked like flowers to be thrown away,
Desperately throwing the wolves at bay.
Shake you shoulders, stand proud and
straight
For around the next bend is your release
date.*

By a Brook House detainee

News

Update on legal advice in IRCs

For some time, visitor's groups and Bail for Immigration Detainees (BID) have been concerned about the legal advice available to detainees since the exclusive contracts were introduced last year. Since October 2010 detainees are now required to seek advice from the legal firms who hold contracts with the Legal Services Commission (LSC). People are required to make an initial appointment and the firm on the rota that week will make an assessment in that initial half hour appointment as to whether or not they can take their case.

We had been receiving many complaints, mainly about the quality of representation that detainees received. It was agreed at an ARC (Asylum Rights Campaign) meeting between visitor's groups, that we would begin monitoring the complaints we received regarding the legal surgeries. We did this for three months and then presented our findings to the LSC. BID then organised a meeting between the solicitors, the visitor's groups, the LSC and Immigration Legal Practitioners Association (ILPA).

BID compiled a list of questions that the NGOs were collectively concerned about and put them to the solicitors and the LSC. It was interesting to hear from the solicitors about the how limitations within the contracts affect the work they carry out for detainees. For example, if someone is detained on a long-term basis but there is not any work that the solicitor can carry out, then keeping the file open for a detainee costs the firm money as they do not get paid for reviewing the file. It was also interesting for firms to hear how frequently they should be reviewing bail for detainees. This was a major concern for BID and visitor's groups. The LSC confirmed that bail should be reviewed regularly and that there is no limit on funding for bail, so long as the case has merit. It was agreed that prolonged detention counted towards merit assessing where bail is concerned.

Further work on this matter is due to continue, updates will be provided to you as and when developments occur.

Louise Peim

GDWG News

– As you will all know by now, Hannah has just left us to join the Red Cross. While we are sad to see her go, we wish her all the best for the future, and thank her for all her hard work over the last two years. We will be announcing her replacement shortly, once we have completed the recruitment process.

– We have had a few changes on GDWG's Management Committee, where we have welcomed Elaine Mitchell and Gemma Stockford to the board, plus Lynn Norman who joined us earlier this year. Unfortunately we are saying thank you and farewell to Doreen Johnson, Philippe Rogueda, and of course John Barrett stepped down as Chair in September, replaced by Anna Seddon. We will also be losing our treasurer, Angie Padoan, in the New Year, as she relocates to Australia, so if you know anyone, preferably with an accountancy background, who would be interested in replacing her, please let us know.

– The Detention Forum organised a Parliamentarian's meeting on December 7th, to which a number of MPs and Peers, including our own Henry Smith, came together to talk about detention issues. We also heard from John Vine at the meeting, Independent Chief Inspector of the UK Borders Agency, about his latest report into the treatment of ex-Foreign National Prisoners. The Detention Forum will be holding a much larger Parliamentary meeting in late March to which many NGOs will be invited, and which will be hosted by our own patron, Lord Dholakia.

GDWG secure Big Lottery grant



LOTTERY FUNDED

The Big Lottery Fund have awarded us a grant of £391,000 which will pay half our running costs for 4 years from 1st April 2012. We would like to thank David Clay, Crawley CVS's Marketing and Fundraising Officer for his expert help and advice.

Here is a little information about our bid. The outcomes for detainees that we

have committed to are; i) improved mental health, ii) reduced isolation, iii) increased chance of release and actual release for a few through case work and services accessed. How do we prove we are achieving them?

Our written questionnaire to detainees asked them if they felt anxious, depressed and isolated and whether these feelings were reduced as a result of the visits; 40 responded (53% response rate). 100% said that GDWG's support helped them cope with detention. Of those suffering loneliness, 92% said their visitor alleviated this, similarly with anxiety (73%) and with depression (89%). The benefits they described; "makes me feel human again", "they give me hope and make me happy all the time they visit me".

The Volunteer Feedback Form gave the Visitors perspective. In the first 6 months of 2011 Visitors reported on 50 detainees visited a total of 583 times. Visitors believed that they had relieved isolation (95%), anxiety (95%) and depression (64%).

"He seemed to benefit from knowing that someone was helping him. He phoned me often for reassurance."

Information for Outcome 3 which relates to helping detainees get bail will come from office statistics.

Many thanks to all volunteers who contributed to this application.

Felicity Dick, Fundraising Officer

The plight of stateless Roma

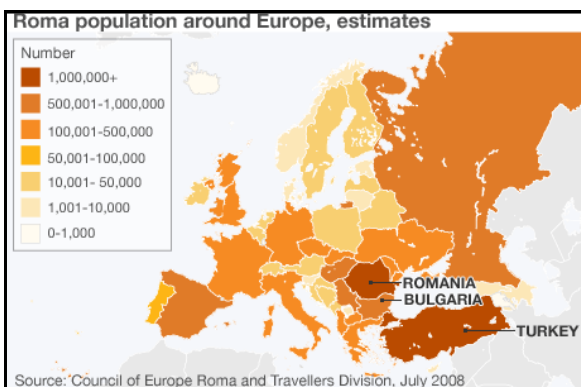
Europe's Roma population is estimated at 11.3 million. It is thought that 70,000-80,000 of these are stateless. There are different reasons for Roma being regarded as stateless. One is the break-up of former states like former Yugoslavia and Czechoslovakia. Roma who were born in these countries are often not recognised as citizens of these newly formed states. This is partly due to the racism towards Roma communities, which is widespread throughout Europe, and the resistance of states to accept responsibility for those peoples.

I met two Roma men in detention whose solicitors have made applications to the high court requesting leave to remain on the basis that they are stateless. I am told there are many more Roma in our detention centres and in detention centres throughout Europe. Historically, Roma are nomadic or semi-nomadic communities, and now they are becoming victims of bureaucratic immigration systems that their ancestors would not have had to encounter. One man in Brook House left Serbia twenty years ago, along with his family. They have lived in many different western European countries, at one point having legal status in Holland.

He, his wife and his son now find themselves in various UK detention centres because no country is willing to accept responsibility for them. His daughter is in detention in Holland. This man has now been detained for twenty-seven months, awaiting his high court hearing.

Another reason that Roma people might find themselves stateless is because many

and his brother had spent time in a state orphanage when his parents were forced to flee the country after suffering persecution, for being Roma. The only explanation that this young man can think of is that his parents did not register him or his brother's births, for fear of retribution as his parents suffered relentless racism from the authorities.



parents do not register the births of their children. A twenty year old detainee I met in Brook House was unable to be returned to Moldova and spent eighteen months in detention, after repeated failed attempts from UKBA to get a travel document. According to the Moldovan authorities, there was no record of him having ever lived in the country. This is despite the fact that he was born there and attended school. He

According to a recent report produced by Asylum Aid and UNHCR, the UK used to have a good record of providing leave to remain for those who were stateless. For Roma, it may be the negative stereotypes surrounding their communities that further affect their chances of being given leave to remain or citizenship in European countries. It is a basic human right to have a nationality and it is something we take for granted. The fact that so many Roma are denied this basic right further hinders their ability to live as they have lived for centuries.

To see a full copy of the Asylum Aid and UNHCR report, Mapping Statelessness, go to <http://www.unhcr.org.uk/resources/monthly-updates/december-2010/mapping-statelessness-in-the-uk.html>

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Gatwick Detainees Welfare Group is a registered charity, set up in 1995 to offer friendship and support to asylum seekers and other immigration detainees held in detention at Gatwick Airport.

Dates for your diary

Next area group meetings:

- Brighton: 3rd January
- Crawley: 11th January
- Horsham: 25th January
- Oxted: 9th January
- Reigate: 5th January
- The Longest Day event—21st June 2012

Inhumanity (n) - the quality of lacking compassion or consideration for others

As the lights dim and the actors appear onstage, I am struck by the stark gloominess of the set of Catherine O'Shea's "Fit for Purpose" – a row of chairs and a frame of prison bars - indicative of the cold, sterile environment experienced in the Immigration Removal Centre (IRC) where much of the play is based. Partly inspired by Rahila Gupta's book, "Enslave: The New British Slavery", and the work of the All Africa Women's Group, the play sheds some light on the dark side of the UK's asylum system. Previewing at the Pleasance Theatre, Islington, it highlights how the complexities of the system inflict pain and distress on already traumatised people who see the UK as a safe haven from the abuse and harm experienced in their countries of origin.

"Fit for Purpose" is a powerful depiction of the culture of suspicion and disbelief within the Home Office, where time and target pressures often lead to bad and poorly-evidenced decisions. Lost in a system they don't understand, the main character Aruna and her daughter portray an interesting dynamic between mother and daughter – the naivety of youth versus the solemn acceptance of the wiser elder.

The backdrop to the storyline is the hunger strike that around fifty women participated in at Yarlwood IRC in January last year, in protest to their often indefinite incarceration and conditions of detention. "They are making it worse for everyone", Aruna says, betraying a kind of resignation that comes from months of incarceration. Sleeping much of the day, the extreme boredom, stress and inevitable depression that on-going detention causes is evident. Many subtle references are made to the disorientating nature of the asylum and detention system. Even



the incongruous Abba song that plays during a set change gives the audience an indication of the bewildering predicament asylum detainees find themselves in. Moved around with no notice and a total lack of information – in one scene mother and daughter appeared to spend hours in the back of a van, with no idea where they were headed - cutting them off from support, legal representation and placing them under great emotional and mental strain.

With references to dawn raids, strip-searches and verbal abuse from IRC staff, inhumanity appears to be the main theme throughout. "Look at them. Still hoping" shouts an experienced officer to her junior. Treating detainees as non-humans, the indignity of their treatment is clear.

With the passage of time comes a glimmer of hope – release – only to be extinguished by the refusal of both the initial asylum claim and consequent appeal. The story line may not be new, particularly to those conversant with asylum and immigration issues in the UK. The simplistic language and dramatic acting perhaps overlooks the resignation that one would expect detainees to display. But what "Fit for Purpose" does achieve is to bring to life the vivid and horrific experiences that asylum seekers in the UK are forced to endure. The play challenges the notion of having a one-size-fits-all policy of dealing with asylum seekers with different and unique problems.

Fit for Purpose by Catherine O'Shea was previewed at the Pleasance Islington in July this year. The play has been awarded the Charlie Hartill Special Reserve Fund for 2011 and is supported by End Child Detention Now <<http://ecdn.org/>>.

By Liz Allcock, Brighton volunteer