



Gatwick Detainees Welfare Group Newsletter

Summer 2003, Issue 10

Her Majesty's Inspectorate of Prisons: Inspection of Five Removal Centres

Early in 2002 a team from HMIP inspected Tinsley House (TH) and five other Removal Centres. They observed and surveyed detainees via a questionnaire, talked to staff and organisations such as GDWG. In April 2003 they published a Summary of Findings containing 14 strategic recommendations (SR) and reports on each centre. The TH report contains 83 recommendations (THR - *Recommendations in italics*).

HMIP used the World Health Organisation's four 'healthy prisons tests' to assess conditions within the five detention centres. These are: (1) that detainees are held in safety; (2) that they are treated with respect; (3) that they are purposefully occupied during the day; and (4) that they are able to keep in contact with the outside world and are prepared for their release, transfer or removal.

1. Detainees are held in safety

This test states that psychological insecurity should not be exacerbated for detainees 'by being unable to obtain timely information about the progress of their cases, by anxiety about welfare concerns outside, or by difficulty accessing competent legal advice that may prevent their removal to an unsafe country or situation'.

HMIP noted that TH is a place of physical safety but recognised the following, familiar, causes of anxiety.

- **Progress of case:** detainees were only given broad reasons, in English, for their detention and the administration of casework appeared to be inefficient. Immigration staff did not have access to full casework information. The lack of face-to-face contact with detainees contributed to the poor management of cases. The inspectors 'found it unacceptable that in some cases removal directions were withheld from detainees until the last moment'.
⇒ *Nine recommendations (SR/THR) address these problems. In particular Immigration should give detainees adequate notice of any movements.*
- **Anxiety about welfare concerns:** Detainees 'were picked up without warning and had not been able to put their affairs in the UK in order' and there was 'no effective system for providing advice and help with detainees' welfare problems'. 'The services of GDWG were not facilitated' but this was remedied before publication by our freephone line and leaflet rack.
⇒ *Removal Centres should have an independent welfare support adviser, able to assist with family and home problems, and to advise and support detainees on release, transfer or removal (SR).*



- **Good legal advice:** some detainees had no legal representation; there was no on-site legal advice and no effective means to access this. (Freephone links to RLC and IAS did not work and a list of regulated advisers was not available). There was no monitoring of the competence of legal advisers, no one told detainees of their legal rights and often it was difficult to know if they could attend their bail hearings.
⇒ *Nine recommendations place responsibility on the IS, IND, Legal Services Commission and the Office of the Immigration Service Commissioner to sort this out and also to allow attendance at bail hearings and appeals if requested by detainee (SR/THR).*

GDWG News

Update

Over 400 detainees have contacted us so far this year. The main nationalities visited by GDWG volunteers since January are: Iranian, Iraqi, Ivorian, Jamaican, Kenyan, Kosovan, Nigerian, Pakistani, Sierra Leonean and Ugandan.

Welcome to new visitors:

Chris Osmond, Geoff Bueret, Mary-Jane Burkett and Jo Butler (Brighton); Elaine Baker and Sister Eilish O'Mahoney (Crawley); Jacqueline Beckford (Oxted & East Grinstead); Wendy Wilson (Reigate).

The Association of Visitors to Immigration Detainees (AVID)

AVID will be producing a new newsletter called 'In Touch'. This is to keep visitors up to date in between their quarterly periodical and will be circulated to all visitors by email or post every month.

News from other centres

There are currently 1300 people being detained by the immigration service. The figure is relatively low due to building work across the estate.

- **Harmondsworth** is only holding men at the moment and the family unit will be closed until next summer. A new high security centre called Longford is being built nearby.
- **Yarlwood** is still closed but projected to re-open in September.
- Worryingly, there are approximately 250 detainees being held in prisons – mostly in separate wings, but in some cases alongside convicted criminals, as at Maghaberry prison in Northern Ireland.

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A year and a bit at Oakington ...



GDWG's previous Coordinator, Martyn Williams, left the group in 2002 to become a legal caseworker. He will start a law course

at Exeter University this September.

After two enjoyable years at the Gatwick Detainees Welfare Group, I decided to move from the frying pan into the fire by choosing a job based inside a detention centre near Cambridge.

Becoming a Legal Caseworker for the Refugee Legal Centre (RLC) at Oakington meant working from a squat red brick ex-army barrack building. This is situated amongst other identical blocks that house the Immigration Advisory Service (IAS), Group 4 Security, the medical block, the interviews block and of course Immigration (IND). Over a fence and behind a recreation field lie the barracks, which house the detainees,

and also the canteen building where all us staff and the detainees can eat our fill of fish pie, followed by apple crumble with lashings of pink custard.

Most of our clients have just arrived in the country and applied for asylum. Others have applied 'in country' at Croydon. A minority have been caught living illegally in the UK. Asylum applicants are considered suitable for Oakington's fast-track asylum determination procedure if their country of origin is on the 'Oakington list' and if their case is considered to be straightforward. This 'fast-track' procedure consists of an interview with IND and then a decision on their claim – served three days after the interview. More than 99% of the applicants are refused. Almost all appeal against this decision, and are then released pending the outcome, which can take several months.

As a legal caseworker, it is my job to take full details of the clients' experiences in their country, as well as to advise them before and during their asylum interview. I then accompany them to the inevitable refusal of asylum interview. Work from the office involves typing up witness statements, and constructing

written letters in support of clients' cases, detailing country information and Human Rights reports.

I am currently allocated two clients a week to advise and represent. I say 'currently', because we frequently have to adapt to government policy changes. For example, since the 2002 Nationality, Immigration and Asylum Act, clients from certain nationalities are faced with removal immediately after their cases have been refused at Oakington. They have no appeal rights in the UK if their cases are deemed to be 'clearly unfounded'. This has increased pressure on us to understand complex asylum claims within a very short time period.

I'm sorry not to give you news of many successes. It can be dispiriting work with few ways of measuring your success or ability. I have not yet had a client who has been granted refugee status at Oakington. But I do enjoy my work in the same way that I'm sure you enjoy visiting detainees at Tinsley – it is really satisfying to form a trusting and confidence-building relationship with someone in need of your support from another culture. The only difference is that I have the great luxury of using an interpreter!

The Government's fast-track plans

The fast-track system at Oakington was established in 2001, to detain asylum seekers from supposedly 'safe' countries or those with unfounded claims, pending a quick decision by immigration. This system has been hailed by the Government as a success, and consequently a new fast-track scheme is being piloted at Harmondsworth Detention Centre. In March, the Immigration Minister Beverley Hughes said:

'Building on the radical reforms in the Nationality, Immigration and Asylum Act, and the success of Oakington's fast-track process, this new pilot will enable us to process and remove failed asylum seekers from the UK within about a month of their arrival.'

This does not bode well for new asylum applicants. As Margaret Lally, the Refugee Council's acting Chief Executive recently pointed out, this new system is based on the 'worrying assumption by the Government that asylum seekers are the equivalent of guilty before proven innocent'.

The number of countries deemed to be 'safe' by the Home Office – often referred to as the 'white list' – has just increased to 24. These are:

- **The ten EU accession countries** – Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovak Republic and Slovenia.
- **Recent additions** – Albania, Bangladesh, Bolivia, Brazil, Bulgaria, Ecuador, Macedonia, Moldova, Montenegro, Romania, Serbia, South Africa, Sri Lanka and Ukraine



Oakington Reception Centre

Quiet compassion at Tinsley House

Compared to other detention centres, people often say that there is a caring ethos at Tinsley House. This is largely attributed to the culture of care and compassion fostered by the Religious Services Team. We went to interview Sister Judith, who tells us here about her work.

Sister Judith, from Southern India, has been a nun for the past twenty-five years. Her vocation was awakened when the Mother General of the Grace and Compassion Benedictine Sisters gave a talk at her school in India. She was greatly inspired and discovered within herself a strong calling to lead a religious life: 'I have never looked back', she says. On arriving in the UK a year later, she faced the struggles of adapting to her new religious life, experiencing a different culture and leaving her family behind. Initially her work involved caring for the elderly in homes run by the sisters, but soon this was to change.

In 1998, she was asked by her order if she would join the Religious and Cultural Affairs team at Tinsley House. The head chaplain, Reverend Eric Lundberg, had approached the sisters to ask if one of them would come to Tinsley House to assist the chaplaincy in their pastoral work. Sister Judith's response was: 'I will try.' And so began another testing time in her life. She had never known about asylum seekers or worked with people from such different cultures. For the first few months she was terrified but slowly, she says, she built up confidence with help from Eric and his team, as well as the security staff. She felt that God had brought her to Tinsley House, 'to see what is going on in the world'.

Sister Judith works at the centre from 8am to 4pm every day, spending her time talking with detainees, praying with those who ask and offering practical advice. She is approached by detainees from all religions – Hindus, Sikhs, Muslims, Buddhists, Christians,

agnostics and those of no faith – and sees no difference amongst them: 'They are all the same.' Being a nun, she finds that people often feel able to approach and trust her. Although the 'officers are very kind', her role is different, she feels, as it allows her to spend more time with individual detainees. For example, she will often sit with detainees who do not have the strength to leave their rooms.



Picture: Skye Brackpool. Courtesy of Argus Newspaper

She is often confronted by people's strong emotions. She tells the story of a man from Trinidad who was extremely angry about the way he had been treated in this country and who was refusing to speak to English people. She sat and listened to him for a whole hour, not saying anything, even though she did not necessarily agree with what he was saying. Towards the end of their meeting he was calm. He told her: 'I will never forget you.' She talks of

the power of simply being with a person. Even if she is not able to speak with a detainee, 'you can attach with them in an invisible way and see something special in them'.

She has recently been supporting a detainee from Afghanistan who is refusing to eat. Every day she goes to see him, offering encouragement and comfort. Although her work can be 'tiring and demanding', she finds support and outlet with her colleagues and the other nuns she lives with. 'I cannot keep it in, I'm not that sort of person.' Her presence in the centre is of enormous comfort to detainees of all faiths and her work and dedication hugely inspiring.

For more information about the Benedictine Sisters of Our Lady of Grace and Compassion, St Benedict's, 1 Manor Rd, KempTown, Brighton, East Sussex, BN2 5EA.

2. Detainees are treated with respect

- **TH staff** were praised for their positive attitude and kindness and the Religious Affairs team for their 'high level of pastoral support'.
⇒ *All removal centre staff must be trained in specific issues that affect immigration detainees, and be aware of the cultural, national and ethnic background from which they come (SR/THR).*
- **Health care** was generally good but the lack of shared records between the centre and the community meant medical histories were often missing.
⇒ *Protocols should be agreed for the release of medical information (SR) and the Immigration Service should ensure that health records are transferred in accordance with Detention Centre rules (THR).*

The blanket policy of removing medication from detainees caused much anxiety and was inappropriate.
⇒ *A decision should be taken on each individual case and women should be allowed to hold the contraceptive pill themselves. All detainees should have the option of being examined by a doctor of the same sex (THR).*

The fact that the Medical Centre did not use interpreters meant that detainees might not reveal difficult issues such as torture.
⇒ *Interpreters or language lines should be used for anything other than routine checks and doctors should receive training in identifying mental and physical health problems associated with mistreatment (THR).*
- **The complaints procedure** was not considered to be effective or confidential.
⇒ *Wackenhut should consult with detainees and find more effective ways of making and dealing with complaints. A clearly marked box should be placed in a central location to receive confidential complaints for the Visiting Committee. When these avenues are exhausted detainees should have access to an independent Ombudsman (THR).*
- **Telephones:** Whilst 'the facility for detainees to receive incoming calls was excellent', the tannoy system was intrusive.
⇒ *A pager system should be introduced to alert detainees to incoming calls (THR).*

3. That they are purposefully occupied during the day

'There was an impressive **range of activities** available to detainees at TH', but:
⇒ *Detainees should be allowed to undertake paid work (SR/THR) and more computers should be provided and IT training (THR).*

4. That they are able to keep in contact with the outside world and are prepared for their release, transfer or removal

- **Provision of phone and fax** were good but:
⇒ *Detainees should have controlled access to email and 0800 numbers and should be able to obtain objective information about the political situation in their home countries through controlled access to the internet and specialist foreign journals (THR).*
- The Immigration Service had not accepted any responsibility for **preparing detainees for transfer, TA or removal**.
⇒ *Centre staff and Immigration officers on site should provide advance notice and support (THR).*

These are impressive reports and we look forward to their implementation. To obtain the TH report and Summary of Findings, go to our GDWG website: www.gdwg.org.uk. To obtain a hard copy for free, call HMIP on 0207 0352103.

'Country of Origin' Information Packs for Detainees and Visitors

We have embarked on a project with the London Detainee Support Group (LDSG), to research resources available to detainees in their countries of origin. The aim is to provide returning detainees with a list of organisations back home that may be able to help and support people on their arrival – for example, by meeting them at the airport, assisting those who are destitute or providing a place of safety for them to go to.

Cally Paddison, GDWG's office volunteer, has begun research into Kosovo and Nigeria, and Laura Hurst at the LDSG is currently working on Algeria and the Democratic Republic of Congo. They will also be writing factsheets for visitors on these countries, to include the background to the conflicts there and useful cultural information.

If you have contacts in any of the countries that detainees commonly come from, we would be interested to hear from you.

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In the middle of summer, Christmas may seem a long, long way away ... Well, it isn't!

The Christmas cards we sell are an important source of income for the group. Unfortunately, in 2002 we did not sell as many as we had hoped, and we therefore need help planning our strategy for this year. Here's how you can help:

- ☆ Offer to sell our cards on a sale or return basis
- ☆ Let us know of any shops you are aware of that will sell them for a small commission
- ☆ Any other ideas?!