

Gatwick Detainees Welfare Group Newsletter

Autumn 2004, Issue 14

The State of Detention Today

In October we attended a seminar organised by Her Majesty's Inspectorate of Prisons (HMIP). Stakeholders (including centre managers, visitors groups and immigration officials) met to discuss how conditions can be improved for detainees. One of the speakers was Brian Pollett, head of Detention Services in the IND. His presentation brings us up to date with what is happening across the estate, and gives some insight into Immigration's vision for the future.

Pollett has the remit of overseeing the government's expansion plans for removal centres. There are nine removal centres and one reception centre, all at various stages of development. Once all the centres are on track, there will be 2750 detention spaces across the estate.

There has been a drop in the amount of time that people spend detained, with only 5% held for a year or more. This was attributed to a more 'pro-active' use of detention, part of the impetus for which is treasury pressure to make 3% annual efficiency savings. With detention becoming increasingly expensive (many centres are now open 24 hours a day), immigration officers have to demonstrate that they are providing 'value for money' and managing their casework in a cost-effective way - i.e. working actively on cases and not detaining unnecessarily.

Whilst professing that it was 'strange to cope with the detention of children', Pollett later went on to say that the Immigration Service is committed to increasing its capacity to detain families and announced that Yarlswood was soon to reopen with 286 spaces dedicated for this purpose. Attempts were made to reassure those present that it would be a centre of excellence for children and that educational facilities would reflect those in the community. However, as BID points out, the Government has to date failed to live up to its 2003 promise of a system where social services assess children after 21 days in detention.

In his vision for the future, Pollett foresaw a system in which a spectrum of accommodation was used at various stages of an asylum applicant's case. He talked of better 'contact management' - so, whilst someone's case is pending they may at various times be in a detention or accommodation centre, electronically tagged or undergoing an enhanced reporting regime in the community. He talked of 'building on what we already have, as the estate is by no means perfect'.

We don't pretend to wish the Government well with their expansion plans, but urge them to put welfare concerns ahead of economic incentives!

The Guardian
Charity Awards 2004
in association with Sainsbury's

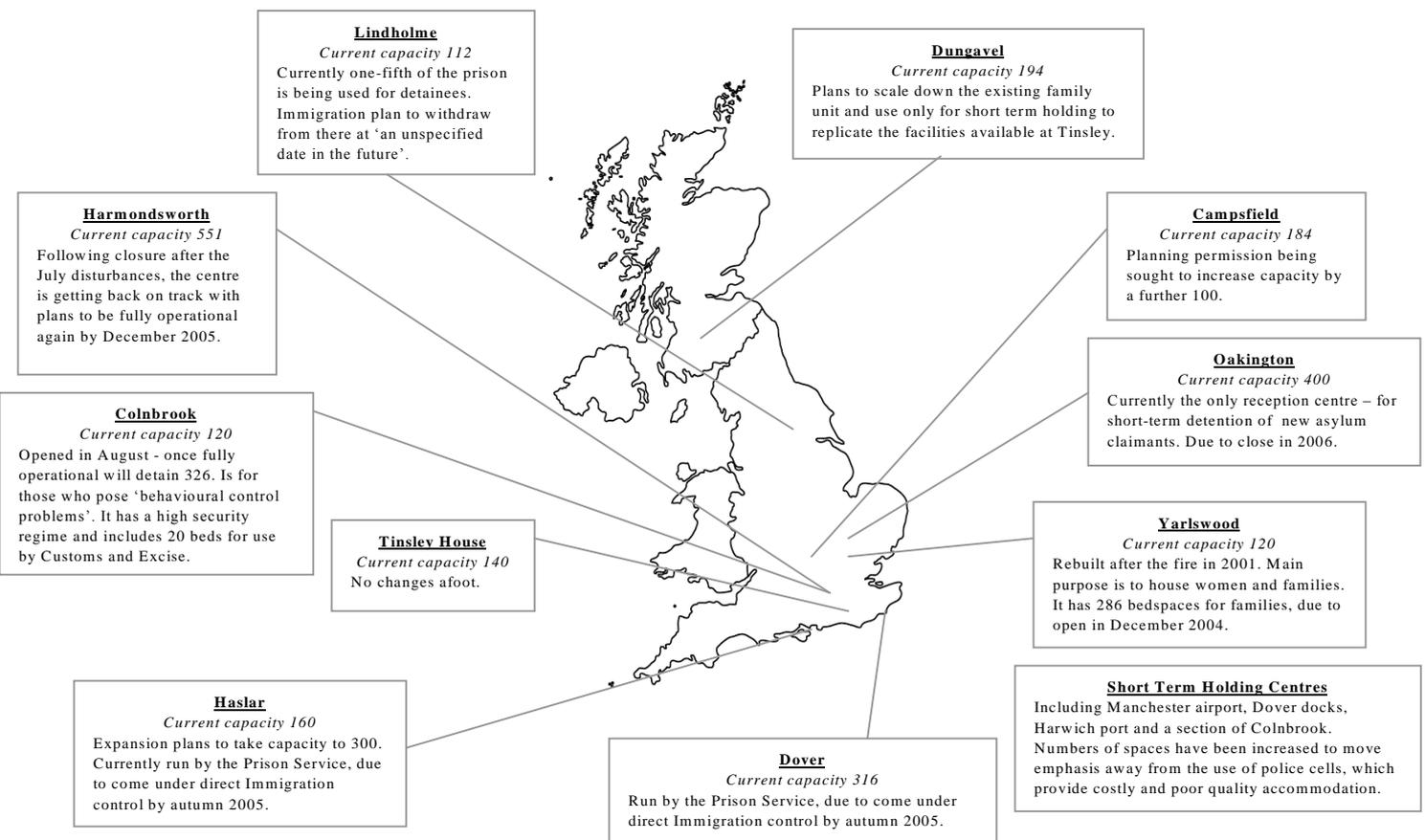
Winner



Felicity collecting the award from John Conteh, boxing champion, and David Brindle from the Guardian - See Page 4.

CHRISTMAS APPEAL

We're collecting book tokens and shopping vouchers to send to former Tinsley House detainees this Christmas. Many asylum seekers, once released, face financial difficulties, and the extra help this Christmas will be much appreciated.



Training Review



Since I took over as training officer we have run roughly three courses a year aimed particularly at new visitors. Each course has consisted of three ninety-minute sessions.

The first, on 'Cultural Awareness', was given by another long-standing visitor and me. We discussed how we engage with and define new acquaintances. We emphasised the individuality of each relationship between a visitor and detainee. We explored the advantages of fluidity of approach and agreed that lack of detailed knowledge of specific cultures is not a particular disadvantage. The second talk was on 'Psychological Problems in Detention' by Theresa McIntyre, a psychotherapist working in Tinsley House. Theresa looked at the detrimental effects of indefinite detention in a foreign culture.

She explored the traumas suffered by refugees before arrival in the UK. She reminded us of the variation in detainees' experience - whilst some are depressed or very anxious, others are relatively undamaged. Our third talk was from our vice-chair Mary Lean, on 'Legal Issues in Detention'. Mary outlined the different ways in which a refugee might be affected by our legal process before either removal or entitlement to stay. She discussed bail and ways visitors might help.

Each session was attended by at least one experienced visitor, by Lys or Pascale and by me. In all three we encouraged discussion and sharing of ideas and experiences. I think getting to know each other is an essential part of the meetings. We gave out a questionnaire for evaluation at the end and generally participants seemed pleased with the sessions. There are, however, concerns over the rather thin attendance at the new-visitor evenings: for one, only five of us were

there. Whilst Mary and I may be of the 'I'll talk to anyone who'll listen' school, the same should not perhaps be assumed for our out-of-house speakers.

In addition to this regular programme, we have had several one-off training sessions: last summer one on human rights legislation relating to refugees and another on bail and the BID notebook. For these attendance was much higher, and we were joined by a few people who were not members of GDWG.

Personally I have found each of the training sessions lively and interesting and I would stress their value for airing our thoughts on visiting and having a broadly cohesive approach. For our future programme it would be very helpful to know what your own views are on our training. With this in mind, a questionnaire is on its way to you shortly, and I look forward to having your comments.

Anna Seddon, Training Officer

MEDICAL FOUNDATION REPORT

'Harm on Removal':

Excessive Force against Failed Asylum Seekers'

Latest News!
IND have agreed to
install CCTV in security
vans by April 2005

In response to the increase in allegations of assaults by escort staff during removals, the Medical Foundation for the Care of Victims of Torture have published an extensive report into the problem. Doctors examined 14 people claiming to have been subjected to excessive force. A medical report was written on each case containing an assessment of the consistency between the detainee's account and the injuries found during examination. In 12 cases, the Medical Foundation concluded that *'the medical evidence supports the detainee's allegations of the injury method'*, whilst in the other two, despite the presence of some injuries, it was difficult to state whether the use of force was disproportionate. This report highlighted *'worrying incidences of harm, which in turn suggest certain practices of abuse.'* In particular:

- ◆ *the use of inappropriate and unsafe methods of force which carry higher than acceptable injury risk;*
- ◆ *the use of force even after termination of the removal attempt, often out of sight inside escort vehicles;*
- ◆ *continued use of force even after the detainee had been restrained;*
- ◆ *the misuse of handcuffing, which would appear to be deliberate in some cases.*

PURSuing A COMPLAINT (Section III of the Report)

The report is especially useful as it outlines the two main avenues of legal redress available to detainees wishing to pursue a complaint.

1. Pursuing a criminal action via the police

If charges are pressed against the assailants, and the case has merit, it has potential to lead to a prosecution case by the Crown Prosecution Service (CPS). If you are visiting a detainee in this situation, it may be worth discussing the possible implications of this, both positive and negative:

Positive:

- ◆ further harassment of other detainees may be prevented by putting the spotlight on perpetrators
- ◆ the institutions responsible will be sent the message that these practices will not be allowed to occur with impunity;
- ◆ evidence obtained during the investigation may assist any later civil action

Negative:

- ◆ action may 'put the other side on notice that legal action is being considered at too early a stage', which in turn could encourage them to strengthen their case (i.e. by seeking corroboration from colleagues);
- ◆ the evidence disclosed by the CPS may be helpful to the other side at a later stage, if a civil action is pursued

2. Pursuing a civil action via a civil lawyer

Occasionally, depending on the gravity of the allegation and the nature of the injuries sustained, it may be possible to find a civil lawyer who is prepared to pursue a civil action. If this is the case, a list of lawyers specialising in such cases is available from the office.

Helping Victims of Assault

It is 'essential to the success of any criminal or civil case that evidence is collected as soon as possible'. Visitors can play a crucial role in this, helping a detainee to write a statement (see p. 44-45 of the report):

- ◆ Write a clear, chronological account of the incident or sequence of events, it should be signed, dated and if possible countersigned by a member of the detention staff
- ◆ Record as much detail as possible – Who did what? What was said by all parties involved? Who might have witnessed the assault? Where did blows land? Were they kicks or punches? How were they delivered?
- ◆ How was the nature of the incident perceived? What effect has it had? What, if any, fears did it cause?
- ◆ Was the ill treatment inflicted in a manner which might be considered embarrassing or humiliating?
- ◆ If handcuffs were used, was the detainee informed why? How long were they used for, and how?
- ◆ Was any abusive behaviour or language used?
- ◆ Medical evidence should be obtained as soon as possible, recording the nature of the injuries and an assessment of the consistency of the injuries sustained with the detainee's own account.
- ◆ Check they have been seen by the Medical Centre at Tinsley House – When did the examination take place? How thorough was it? Which doctor or nurse saw them (name or description)?
- ◆ If a civil lawyer does take on the case, it may also be possible to arrange for an independent doctor's examination.
- ◆ Where the identity of the assailant is not known, give as detailed description of them as possible. Likewise for any potential witnesses. If a witness is identified – for example, another detainee – a written statement (signed, dated and if possible countersigned by a member of staff) should be obtained as soon as possible.

The full report is available on our website: www.gdwg.org.uk



WHY I BECAME A VISITOR



Jana Edmunds, Brighton

Life Inside by Mehran Kahiael

Jail is a world of strife and hate,

Inside these walls you trust in fate.

Your life is run by the governor's nod.

There is no peace, there is no god.

You do your spirit and not lose hope.

It's an endless struggle on the human brain,

To keep your mind from going insane.

You fight each day just to make it through,

To a brand new day with nothing to do.

The one and only golden rule,

Is to fight like hell just to keep cool.

At a word or a nod tempers can flare,

And sometimes it's sad, but you just don't care.

You feel like you're sitting on a narrow ledge,

It makes your hand like a brand or a ring,

For the rest of your life you can feel its sting.

It's like being cut, like the slice of a knife.

But no matter how they kick you around,

You can never, never let them see you down.

Mehran from Iran was visited by Jana whilst he was in Tinsley House, and sent this poem to her from Brixton Prison, where he is now being held. He was transferred there following the disturbances at Harmondsworth over the summer. He is one of the 17 who have been charged with related offences, and is now fighting to clear his name.

Mehran has been detained for two and a half years.



Altruism is a very rare driving force indeed. It is reserved for the few who are breaking the speed limit on the superhighway to the divine. My driving force – dare I say it – is to help others less fortunate than I, primarily for my own benefit. For most people this would be an embarrassing admission. In general we want to be seen as selfless, giving and humane, but deep down we know that if the task does not in some way meet our own needs we wouldn't do it. I became a visitor to stop feeling sorry for myself.

Last year I had to come to terms with a chronic illness. It struck at a time when I had a great job, my children had happily and willingly fled the nest and the rosy future that tantalisingly hovered on the horizon for many years was finally within my reach. My life changed overnight. Due to the illness I lost my job, future financial security and almost my home. After the dust settled I took stock of my new life. With energy enough for perhaps a third of the activities I used to take for granted, I needed to reprioritise my life.

Befriending detainees was not an obvious choice. A friend casually suggested that if I did 'something useful' I might stop thinking about my own problems. Many people from the ex Soviet Union were making their way to England. Could I perhaps use my Russian language and volunteer as an interpreter? I searched the internet. The Gatwick Detainees Welfare Group website stood out as the obvious starting point, primarily because it was one of the few to offer a telephone number and a clear point of contact. Once I found out more about the work that GDWG does, everything else fell into place and five months down the line I am visiting my third detainee.

Over 30 years have passed since I came here. I arrived knowing three English words and absolutely nothing about the country itself. Our immigration was not altogether without problems. The detention room at the airport where my mother and I spent a pensive six hours had only two exits – the door with the green 'nothing to declare' sign above it and the departure gate leading to an aeroplane and a return flight home. We were fortunate and five years after our arrival I became a naturalised British Citizen. I never stopped feeling grateful for being given the chance to make a life here.

I understand why some people risk everything for the opportunity to do the same. Some escape a torturous political regime, others an economic one. They are desperate to start a new, better life. Whatever their reasons may be, when I meet them they feel lost, displaced, confused and friendless. All feel helpless, awaiting an external decision on their future lives. Lives that at present they are unable to plan or imagine. Daily they exist in limbo.

So is it worthwhile befriending these people who wait to see through which doors they exit? More than I could ever imagine. The weekly visits have given me the focus, interest and the discipline I had been looking for. I am a happier, richer and more fulfilled person for having met the people at Tinsley House. And, I've stopped feeling sorry for myself!

GDWG through the looking glass

“We’re proud to help asylum seekers but not everyone shares our goals. The award is recognising our work, but it also recognises that asylum

September was marked by the news that we had been chosen as one of the five winners of the 2004 Guardian Charity Awards, recognising the work of small charities with an income of less than £1m, who try to meet welfare needs in the community.

This enabled us to promote the work that visitors groups do, and hopefully to highlight the under-reported, all too often voiceless world of immigration detainees. One chaotic

day of filming (for the 2 minute film on GDWG, offered as part of the award), a few newspaper articles and an award ceremony later, this was also a chance to ‘take stock’.

Looking ahead

On an immediate and practical level, part of the £5,000 received will enable us to increase the small sum of money we can give destitute detainees who are facing imminent removal; and the PC we’ve won will replace our current office dinosaur.

In terms of the group’s long-term future and sustainability, we are in the reassuring position of having recently secured funding for the next three years from the Big Lottery Fund, and of having an excellent, diverse and dedicated group of volunteers, who between them speak 22 languages, and over 50% of whom have been with the group for three years or more.

With this in mind, and whilst not losing sight of the single, most fundamental aspect of the work we do – to visit and befriend detainees – we are now in a good position to attempt to respond constructively to the changing nature

of detention. For over a year now, we have been exploring the possibility of funding our own immigration advisor, as this could go some way to addressing some of the detainees’ most urgent legal problems. With the recent cuts to legal aid for asylum seekers, and the criminalising, freedom-depriving measures contained within the 2004 Act, this is more important than ever; and we hope to come closer to achieving this in the coming months.

Looking back

In 2005, ten years will have elapsed since our early days, when detainees were still held at that strange place called the Beehive. To mark the group’s decade in existence, GDWG has set aside the evening of the 16th of June 2005 to say thank you to all those who, over the years, have supported our work.

In order to continue to raise awareness about detention and Tinsley House, we also felt that it would be appropriate to use part of the £5,000 donation from the Guardian Charity Awards to create a small ‘Tenth Anniversary Publication’ – see below.

Tenth Anniversary Publication

Call for stories, anecdotes, articles, poems or photographs by visitors, former detainees or GDWG supporters

Please send your contribution to the office by 12 January 2005 at the latest



Need a Break from Visiting?

As we all know, visiting detainees can at times be difficult and stressful work - partly because of the distress of the detainees, and partly because we work in a hostile environment. Quite simply, there are times when you need to take a break - to recharge the batteries and rejuvenate. We

strongly encourage visitors to be attuned to this need, and never feel under pressure if that unwanted call comes through from the office, ‘just wondering if you’re free to visit...!’ However, whilst taking a break from visiting you might want to stay involved and help out in other ways. Here are a few suggestions:

➤ **Adopt a new volunteer!**

The Brighton group has suggested that we have a ‘buddy’ system for volunteers joining the group. Would you be happy for your number to be given to a new visitor, using your experience to support someone new?

➤ **Join a Bail Circle**

Help a detainee to get released from another detention centre. The Kent Bail Circle has recently been set up by Marion Walter, former Dover Visitors Group Co-ordinator. A similar group is in the process of being organised in Brighton.

➤ **Become a speaker**

We always welcome volunteers who are willing to give talks to other groups about our work.

➤ **Become an emergency phone checker**

Every weekend, our phone lines are checked remotely by a small team of volunteers for emergency phone calls from detainees. Like to join them? Contact the office!

...AND LAST BUT NOT LEAST...

A special thank you to our film stars *(in the Guardian Charity Awards film)*

*Iyad Daoud, Abdulaye Diomande,
Mary Lean, Calitas Matora,
Beryl Payne & Anna Seddon*



Abdulaye and Beryl during the filming.
They met whilst he was detained at Tinsley House

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