

# GDWG Newsletter

## Summer 2010

*Gatwick Detainees Welfare Group*

### Detention Reform – On the agenda?

*GDWG work with other NGOs to ask the government to look at detention policy*

GDWG have been working closely with AVID and the London Detainee Support Group in coordinating a joint letter to the new Minister for Immigration, Damian Green, calling for a review into the use of detention and a moratorium on the expansion of the detention estate until this review had been carried out. The letter was signed by a total of 28 NGOs with experience of working within detention, and sent to Mr Green at the end of June. It expressed our concerns that detention is expensive, inefficient and damaging to the individuals who are held, especially those who are detained for long periods.

A reply to the letter came not from Mr Green, but from the UK Border Agency. Perhaps predictably this response refuted our arguments, and presented UKBA's position, which is essentially that they only detain people when absolutely necessary, always for the shortest time possible, in good conditions and with adequate support. Despite this initial knockback, we see this merely as the start of an ongoing process. The next stage will involve engaging with both MPs and Lords who are interested in this issue, as well as trying to build further momentum within civil society.

Many of our visitors will have seen first hand the impact that detention has on the individual. We continue to visit more and more people who have been detained for many months and years, often only to be released back into the community, damaged from the time they spent locked away from family and friends. While we appreciate that the government have the right to enforce our immigration laws, they also have a duty to respect the civil liberties of everyone on these shores, both British and non-British, and also to spend taxpayers' money in an efficient way. Our argument is that this is not happening with detention at present.

It could be argued that the overarching problem is a fairly funda-

mental one, that the immigration enforcement system is geared around maximising removals and hitting targets, often at the expense of making correct decisions at the first time of asking. If a migrant is made to wait for long periods with little information about their options, then is suddenly arrested, detained and told they're booked on a flight within a few days, it is little surprise that there is resistance to this, especially if they feel that they did not get a fair hearing first time around. It would appear that the new government have accepted that there are problems with the existing asylum system, and recently announced an eight-month review of the asylum system, called the Asylum Improvement Project. The stated aims are to make the system faster and cheaper, while at the same time improving the quality of decisions. At present around 1 in 4 initial asylum refusals are overturned at the appeal stage. Improvements in the whole process and experience of claiming asylum should result in the government's aim of increasing the number of failed asylum seekers who take up the option of voluntary return, while at the same time leading to a reduction in the number of people in detention who should not have been there in the first place.

Nic Eadie

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## Unnatural practices?

### *Problems facing gay asylum seekers in the UK*

'Forced to live in denial and putting up with sexual assaults' were the words I heard from a homosexual asylum seeker held at Tinsley House when talking about his life before arriving in the UK. That same week I also heard the current Home Secretary, Theresa May confirming that it is "no longer" 'acceptable to send people home and expect them to hide their sexuality to avoid persecution'. Until this I wasn't even aware that the Home Office was refusing asylum claims based on the idea that gay people could behave 'discreetly' in their country of origin to avoid persecution.

The recent media attention surrounding the Malawian couple sentenced to 14 years hard labour for 'unnatural practices' resulted in them being pardoned but on the condition that they cannot continue their relationship. Uganda is proposing the death penalty and Burundi has recently outlawed homosexuality. Currently 76 countries ban consensual acts between same-sex couples. It is therefore little wonder the man I visited was petrified when he received removal directions; in his country of origin sexual acts between same sex couples are illegal, and there is no protection available for homosexuals.



A recent report based on interviews with asylum seekers and UKBA decision-makers by Stonewall (the lobbying group for LGBT equality) revealed that officials don't know how to question gay people appropriately and are offered little guidance. The report highlighted the fact that many gay asylum seekers feel embarrassed and thus face specific disadvantages as UKBA staff are trained to look for inconsistencies. Due to this system gay people are often inadvertently punished if they are not immediately open about their sexual orientation. UKBA staff are under a great deal of pressure with heavy caseloads, a lack of information about what it is like to be gay in some countries and deadlines to meet which can lead to incorrect decisions being made. Unfortunately this overwhelmingly seems to be the case for many gay asylum seekers with 98% per cent of cases between 2005 and 2009 being refused.

The detainee I visited fortunately found a solicitor just in time to make a Judicial

Review and also sent further evidence to the European Court of Human Rights. As a result, his flight was stopped and he now has the opportunity to make a fresh claim. Having arrived in the UK a few years ago (claiming asylum on arrival) he has been coping with Post Traumatic Stress Disorder (from the abuse he received in his country of origin), had no support from family at home or in the UK and struggled financially. However, he has managed to build a life for himself spending a lot of time volunteering and enjoying London's gay scene, and most importantly he hasn't had to suppress his feelings.

His hope is that with the fresh claim and the Home Office's new stance on gay asylum seekers he has a fair trial ahead. However, he may well face further obstacles. In the Stonewall report one UKBA official admitted that he would assess a possible homosexual applicant by asking them how they explored their sexuality 'culturally' such as reading Oscar Wilde or spending time in Soho or gay nightclub 'Heaven', illustrating that the Home Office may have some way to go in educating some of their staff when dealing with such cases.

*Hannah Jackson*

# The end of the road, or another dead end?

## *Confusion over government's promise to end the detention of children*



The coalition government's plans to stop detaining children for immigration purposes appear far from clear, with the anticipated announcement over how this will be done and what alternative system will be brought in being delayed. The Minister for Immigration, Damian Green, conducted a review into the issue, which was completed at the end of July. However, despite numerous meetings between UKBA and voluntary sector groups, chaired by the Diana, Princess of Wales Memorial Fund, it appears as though there was no agreement reached. The Minister has gone on record to say that there are no children in detention at the moment, and haven't been for some weeks, but there has still not been any formal announcement on any change in policy. GDWG have

not been in contact with any families in Tinsley this year.

In another development, leaked documents have outlined plans for a pilot scheme in the North West, whereby families living in the community who UKBA are planning to remove will be given just two weeks notice to pack up and leave voluntarily, or else face the prospect of being picked up and forcibly removed soon after. Groups who work with migrant families have expressed concerns that two weeks is not long enough to make all the preparations for a voluntary return, so there is a fear that if the pilot does not succeed, UKBA may argue that detention is necessary to effect removal. Organisations who campaign around the detention of children, such as BID

and The Children's Society, argue that a more consultative, end-to-end casework approach is required for families in the asylum system, so that they are aware of all of the possible outcomes of their application, and to prepare them better for the possibility of return. As mentioned in the article on page 1, improvements in initial decision-making will also hopefully result in more grants of asylum first time round, and reduce the need to forcibly remove some families.

What is clear is that the government are committed to continuing to enforce removals of families who refuse to go voluntarily, if they are deemed to have no right to remain in this country. How this will work in practice is still not clear, and hopefully is still open to influence, as the government continue to look for solutions. So far, the coalition government have shown a degree of willingness to engage with the voluntary sector in trying to improve the system, and we hope that this will continue.

Nic Eadie

# The problem with freedom:

When people are detained, often all they can focus on is getting out of detention. Some people don't, or simply can't think about what life will be like for them once they're released. In detention, freedom is at the forefront of their minds.

Once people regain their liberty, they often face a whole new set of struggles outside of detention, which can often be as suffocating as being detained. If someone is released on bail, or granted temporary admission, it does not mean that their immigration matters are resolved. They are not permitted to

work, and if they are released to their family or friend's address they will receive no financial support from the state. People must rely entirely on the help of those they are living with. In some cases, even if they are granted leave to remain in the country, their plight continues.

M came to the UK in 2007 from Palestine. He found himself homeless on arrival as he had no contacts here, and was not aware of his rights as an asylum seeker. M committed a crime and served eighteen months in prison. He then spent fourteen months in

immigration detention, during which time he won his asylum appeal, twice. He was granted refugee status by an immigration judge, so was automatically released from detention. This should have been a happy day for M. However, he had nowhere to go, but was forcibly removed from the detention centre without an address or any offer of support.

M is now living on the streets in east London, receiving support from a homeless charity. He is waiting for the relevant paper work from the Home Office so he can claim benefits and be put on the

## Voiceless and vulnerable: Children trafficked for domestic servitude

*Visiting a detainee whose story revealed a lost childhood, I was forced to confront slavery as a contemporary fact. I saw how isolation and separation from family makes children easy to control. Coverage of trafficking in the press focuses on sexual trafficking but a third of all trafficked people are used for labour exploitation (domestic work, agricultural work, catering or packing and processing). The detainee I visited was excited to escape from poverty to a house with electricity when he was trafficked to the UK. He was trafficked from the African street market where he was a 'carrier' to a house in London where he looked after children for no payment and with no opportunity to go to school. He became 'invisible' from the outside world, with no one to protect him.*

*The anti-slavery society runs a cam-*

*paign to end domestic slavery and works to protect child domestic workers. If the detainee you are visiting describes a history of trafficking, there are a number of organisations who may be able to offer advice, including Migrant Helpline, STOP (UK) (Helpline: 0844 800 3314) and Kalayaan ([www.kalayaan.org.uk](http://www.kalayaan.org.uk)). UNICEF estimates 1.2 million children are taken from their homes and trafficked into exploitation each year. They are in physical and psychological danger. Not only does trafficking violate every child's right to be protected and grow up in a family, it also deprives them of education and opportunity.*

Last year only 102 people were prosecuted for sex trafficking and 19 for labour trafficking in the UK. Victims are often reluctant to come forward be-

cause they fear retribution for their families back home and because they distrust the police. The director for public prosecutions has placed trafficking in the news launching a draft policy on prosecuting the crime and has stated trafficking is high priority for the CPS. It is our experience that at present many of the exploited individuals are perceived as immigration offenders, rather than as victims of this terrible practice.

Anna Pincus



## - Release from detention can bring unforeseen difficulties

### - Ex-Gatwick detainees tell us their experiences

housing register. Nobody can tell him how long this might take. M said about his situation;

'I didn't want to leave detention without an address, I would rather go back there than live this life...I feel like throwing myself under a train, but don't have enough money to get a train ticket...Life is very hard for me now.'

E, from Nigeria, also won his case and was granted indefinite leave to remain. He has lived in the UK since 1995 and has never been convicted of a criminal offence.

He was detained after he was found not to have regularised his status, and spent four months in Brook House. He lost his job as a result.

Since his release, E has spoken of the difficulties he now faces. His bank calls him several times a day, demanding money that he does not have, having fallen into arrears whilst in detention. His landlord is also owed several months of rent money, but E cannot claim benefits until he has his paper work through from the Home Office. He is now facing eviction and possible homelessness. E told me;

'...the worst part is having to rely on friends for food each day. I don't pick up the phone anymore because I know it will be someone asking me for money that I can't give....'

Despite his worries, E remains optimistic about the future. He would like to get back into working in the building trade, as he has done all of his adult life. He knows it will take time to rebuild his life, and that it could take him far longer than the four months he spent in detention.

Louise Peim

## HMIP report on Brook House – UKBA accept criticism and promise to implement recommendations



Dame Ann Owers (Chief Inspector of Prisons) recently described Brook House as 'fundamentally unsafe' in its' first full announced inspection. Problems include those associated with violence, bullying and drug abuse, and Mrs Owers and her team of inspectors made numerous recommendations in their detailed report to try and tackle this. David Wood, Director of Criminality and Detention at UKBA, was quoted as saying that while they were disappointed with the report, they accepted its' broad conclusions, and would, "implement the vast majority of the improvements recommended."

One such recommendation was to allow GDWG to run a weekly welfare advice surgery, and we are hoping that UKBA will allow us to do this in the near future.

Brook House is designed on a category B prison, and was apparently initially intended to hold people for no longer than 72 hours. However, this is far from the reality, with many detainees staying for prolonged periods. Our experience is that the centre has certainly improved significantly over the past few months, with a general feeling that staff are becoming more

adept at dealing with the problems that occur, and a wider range of activities being introduced. GDWG welcome UKBA and G4S' commitment to making the centre a safer place for both detainees and staff. We also hope that the work that our staff and volunteers do at the centre goes some way to making the centre more bearable, by offering a degree of support that would otherwise not be available.

To read a full copy of the report please follow the link on the GDWG website.

Hannah Jackson

## Volunteers pages

### Meet our GDWG volunteer: Cathy

By Anna Pincus

After 18 busy months of visiting (including a period with two people to visit) Cathy looks back on her time and reflects that she has frequently been moved when witnessing the faith and resilience of those she has visited. When her son was busy revising for exams, he told her 'don't tell me bad stuff!' when she returned home from a visit...but lives such as that of A who walked across the Sahara from Ghana to Libya on his journey to the UK, give Cathy a sense of perspective about her life. For Cathy, visiting does not end with release from Tinsley House or Brook House; she has followed up with visits to Colnbrook, Dover, Barry House and Bolton! She tells of a happy time visiting J, eating cake and sitting in sunshine at the garden of the Dulwich library near Barry House celebrating release. When the time came to leave they found

the wrought iron gates to the garden were locked! J had no ID and felt that phoning for assistance from the police was not an option so together with Cathy's husband, they scaled the gate!



Cathy was born in Nigeria and grew up overseas. Early memories include being shocked seeing segregation in South Africa during the apartheid years and the isolation of a harsh boarding school experience which helps her identify with detainees who suffer when separated from family. Cathy's life is busy teaching excluded young people who are often try-

ing to cope with difficult lives. She also volunteers for CAB in Crawley and helps out in the GDWG office (thank you, Cathy!). Her experience as a volunteer advisor for CAB is that she has a large database with all the answers at her fingertips. But as a GDWG visitor there is not always an answer and that can be difficult to deal with. She says how challenging it is to come to terms with not being able to solve the detainee problems that she encounters and Cathy goes running in the beautiful Sussex countryside around her home to cope with stress! Witnessing an unwieldy system that forces asylum seekers to become criminals in order to avoid destitution has been a shocking side to visiting. Looking back over eighteen months of visits, Cathy reflects with passion that her work with GDWG has had an incredibly intense impact on her faith, her outlook and her life.

# From Crime Novels to Wilted Greens:

## GDWG visitor encourages detainee to write his autobiography

By Jill Francis, Brighton volunteer

I visited Rohan from March till May 17<sup>th</sup> when he was deported back to Jamaica. He left behind his three children and his mother. He has no relations left in Jamaica now.

During this time I got to know a warm and sensitive person despite his troubles, who I looked forward to seeing each week.

I soon found out he was interested in reading crime novels. His favourite author was James Patterson, who has written or co-written an endless stream of books. I began acquiring them from my local second hand book shop and taking them in for him. He told me they were his place to go when he wanted to retreat from the stresses of being in a detention centre.

He began to tell me his own story in between the plot lines of the novels. Thinking of the Creative Writing training session I had attended last year, I suggested that he consider writing his autobiography as a kind of therapy. He quickly took up this idea. I provided him with a plain notebook and pen but he preferred to work straight on to the computer. I know the English teacher also encouraged him to do this writing.

He had written his first two chapters by my next visit. We talked about drawing the audience in with an exciting starting point. Rohan showed me some poetry he had written before, that had been published on a prison website ('Inside Time'.) He also gave me a recipe for 'Wilted Greens', a Caribbean speciality.

It was clear that writing was giving him a lift. His poetry style had a natural rhythm and rhyme and he was becoming quite prolific. As the time drew closer to his leaving, he started talking about his 'legacy' (a la Tony Blair.) The final time that I met with him he was extremely upset at having to say farewell to his family. However he had managed to write a sheaf of poems which were posted all over the notice boards in Brook House.

Rohan gave me the following poem, 'Jamaica', about him leaving the UK. Typical of him, although his poem has a sad tone, he is able to put in a positive verse about returning to 'Jamaica the beautiful'. He told me he was on his eighth chapter of his autobiography and he would send me a copy when it was published!

### Jamaica

Today's the day I go back home

To a place I barely know

What life I'm going to live

I just don't know

No family, no kids

Just me alone

I tried my best

To stay at home

Sadness in my heart

I miss them so much

Not a lot I can say or do

But my best

Jamaica is where I'll rest

Remember I love you

And don't be sad

Daddy will be back as soon as he can

So my kids

I leave with love and a kiss

The saddest heart needs a lift

To the island I love so much

Jamaica the beautiful

Lots of palm trees and lots to do

I leave this poem just for you

When UKBA says go home

Please just do

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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: September 7th
- Crawley: September 6th
- Horsham: August 17th
- Oxted: September 9th
- Reigate: October 20th

## **GDWG News**

Legal advice surgeries are now being run twice a week in both Gatwick centres, by a number of different firms. Detainees can sign up to see an advisor in the libraries.

There are still some very serious delays when detainees who are assessed as 'high risk' apply for Section 4 bail accommodation. At present, this delay could be several months, leaving many detainees without an address with which to apply for bail.

There is now a garden in the yard of D Wing in Brook House, with flower beds and benches for detainees to sit on. There is also a 'cultural kitchen' in Brook House, where detainees are allowed to cook a meal for some of their friends from another country.

We have received funding for the Director's role for the next three years. The money is coming from the Wates Foundation and the John Paul Getty Jnr Charitable Trust. GDWG would like to thank both for their support.

We are short on men's trousers, trainers, underwear and t-shirts. We are also in need of travelling bags and flip flops, so if anyone knows where we might be able to get hold of any, please let the office know.

GDWG are planning to hold a 15<sup>th</sup> Anniversary event, probably at the beginning of next year. We will also be looking to produce an audio-visual DVD and a booklet about the work of the group. If you would like to be involved, please let us know.

## **Strangers in our own strange land**



### *Book Review – 'The Arrival' by Shaun Tan*

The Arrival is a migrant story told as a series of wordless images. A man leaves his wife and child for better prospects in an unknown country on the other side of a vast ocean. He finds himself in a bewildering city of foreign customs and indecipherable languages. Anyone looking for a way to explain what we do as GDWG visitors to a child or grandchild can share this book with its surreal pencil on paper illustrations and every picture lends itself to being visited and revisited with observations and discussions developing over time.

Shaun Tan, who is half-Chinese, often describes his sense of sepa-

rateness as a child and his fascination with the 'problem' of belonging. The book depicts the problems of migrants of all nationalities suffering poverty, language difficulties and separation from family. This is all shown in sepia colours like an old family photo album beautifully drawn and fairy tale in feel.

The 'reader' experiences illustrations with no written description and is placed in the uncertain shoes of an immigrant character feeling confused, aware of vague ideas, images and themes but deprived of all certainties. Shaun Tan writes that his hope for the book is that it 'might encourage its readers take a moment to look beyond the 'ordinariness' of their own circumstances, and consider it from a slightly different perspective. One of the great powers of storytelling is that invites us to walk in other people's shoes for a while, but perhaps even more importantly, it invites us to contemplate our own shoes also. We might do well to think of ourselves as possible strangers in our own strange land. '

Anna Pincus