



**All-Party Parliamentary Group on Immigration Detention
AGM / Meeting on new Hassockfield IRC**

Tuesday 20 April 2021, 10.00-11.30
Online via Zoom platform

Attendees

Parliamentarians:

Alison Thewliss MP (SNP) - Chair
Diane Abbott MP (Labour)
Baroness Bennett of Manor Castle
Paul Blomfield MP (Labour)
Sir Peter Bottomley MP (Conservative)
Lord Dubs (Labour)
Richard Fuller MP (Conservative)
Baroness Hamwee (Liberal Democrat)
Baroness Ludford (Liberal Democrat)
Rt Hon. John McDonnell MP (Labour)
Bell Ribeiro-Addy MP (Labour)
Catherine West MP (Labour)

Parliamentary staff:

Michael Bannister (Office of Anne McLaughlin MP)
Isabelle Bull (Office of Holly Lynch MP)
Jacqui Connor (Office of John McDonnell MP)
Kate Hardman (Office of Richard Fuller MP)
Robyn Hendry (Office of Anne McLaughlin MP)
Margaret Young (Office of Anne McLaughlin MP)
Joel McNally (Office of Mary Kelly Foy MP)

APPG Secretariat:

Emma Ginn (Medical Justice)
Elspeth Macdonald (Medical Justice)

Speakers:

Agnes Tanoh, Detention Campaign Spokesperson Women for Refugee Women
Gemma Lousley, Policy and Research Coordinator (Detention), Women for Refugee Women

Prof. Cornelius Katona, Chair, Working Group on the Mental Health of Asylum Seekers and Refugees, Royal College of Psychiatrists

Other participants: Over 55 external participants, including experts by experience, campaigners, lawyers, and representatives from relevant NGOs and inspectorates.

Minutes

Part 1: AGM and other APPG business (parliamentarians only)

1. Welcome

1.1 The chair welcomed parliamentarians and their staff members to the APPG event. The AGM and other APPG business would be conducted first, before opening the meeting to external attendees for the discussion on Hassockfield Immigration Removal Centre (IRC).

2. AGM business

2.1 The following officers were elected:

Chair: Alison Thewliss MP - SNP
Vice chairs: Christine Jardine MP – Liberal Democrat
Anne McLaughlin MP - SNP
Bell Ribeiro-Addy MP – Labour
Mohammad Yasin MP - Labour
Officers: Baroness Bennett of Manor Castle – Green Party
Sir Peter Bottomley MP – Conservative
Stephen Doughty MP – Labour
Richard Fuller MP – Conservative
Rt Hon. Harriet Harman QC MP – Labour
Helen Hayes MP – Labour
Baroness Lister of Burtersett – Labour
Stuart C. McDonald MP – SNP
Kate Osamor MP – Labour
The Earl of Sandwich – Crossbencher
Hywel Williams MP – Plaid Cymru

2.2 Baroness Hamwee (Liberal Democrat) had stood down as an officer of the group, due to her appointment as Chair of the new Justice and Home Affairs Committee in the House of Lords. The group thanked her for her active support of the APPG since its formation.

2.3 The statement of income and expenditure was approved.

2.4 The chair thanked the secretariat for their work supporting the group over the past year.

3. Inquiry into “quasi-detention” sites

3.1 At its meeting in March, the APPG had agreed it would conduct an inquiry into the use of large-scale institutional sites, such as former military barracks and ‘de-designated’ IRCs, as asylum accommodation. The sites replicate many of the features of detention and appeared to have many of the same detrimental impacts (e.g. on people’s mental health) so are referred to as sites of “quasi-detention”.

3.2 Elspeth Macdonald (APPG Secretariat) had put together a more detailed inquiry proposal including draft terms of reference. She will circulate this to the group for comments.

3.3 A cross-party inquiry panel (8-10 Members) will be set up. Members interested in joining the panel should let Elspeth know.

3.4 The planned timeline is that a call for written evidence would be issued in early May once the terms of reference were agreed, to run until late June. Oral evidence sessions will take place in early July, with a view to issuing a summary of key initial findings by the end of July. A full written report with more detailed findings and recommendations will be issued in September.

Part 2: Discussion on implications of new Hassockfield IRC for women (all attendees)

4. Welcome

4.1 The chair opened the event and welcomed the external speakers and other participants attending. The APPG was very grateful to all those taking part today, and in particular those people with direct lived experience of detention. The group was conscious of the toll it could take to give evidence on the topic when it is something you have been directly affected by. The chair asked all participants to be mindful of the sensitivity of what was being discussed, and to be respectful of others when interacting during the session.

5. Presentation 1 - Agnes Tanoh (AT), Women for Refugee Women

5.1 Agnes was an asylum seeker herself. She had fled her country because of political persecution. In 2010 there was a civil war; she was arrested and imprisoned for her political views. Some of her fellow activists were tortured and killed, so she had travelled to the UK. Initially she did not apply for asylum because she thought she would be able to return to her country. After some time it became clear it would not be possible to return, so she applied.

5.2 After applying for asylum, Agnes had to report every week to the Home Office. At one reporting event, she was detained and taken to Yarl's Wood IRC.

5.3 Agnes did not know why people called it detention - for her it was a prison. She had experienced prison when she was imprisoned for her political views before coming to the UK . Yarl's Wood was far from the city - you were very isolated there. When you arrived, you were taken through many, many locked doors. Then you were locked in, trapped in a shared room. From the window, all you could see was a wall. Staff could enter and search your room. Like in a prison, you were told when you had to wake, eat and sleep. If you could not sleep, your mind went over and over what was happening to you. You saw and worried about other women who were deported. There was a young Indian woman who attempted to kill herself. This was what detention did to women. They came seeking protection and instead they were locked up.

5.4 When Agnes was eventually allowed to leave Yarl's Wood, she was released to the street, destitute.

5.5 What does detention do for the UK? It only does one thing: it harms people - people who need protection, who are looking for sanctuary. Agnes loves the UK and had visited many times. Then, the one time she came seeking protection, she was locked up. It is Agnes' dream to see all asylum seekers receive protection - not to be put in detention. People do not choose to be asylum-seekers. It could happen to anyone.

5.6 Agnes left detention eight years ago - yet whenever she speaks about her time in detention, she still becomes upset and sad. She does not want more women to be traumatised like she had been. She asked MPs and others listening to hear the cry of her heart, to have compassion for those coming to seek protection, and to demand an end to detention.

6. Presentation 2 - Gemma Lousley (GL), Women for Refugee Women

6.1 Before the Covid-19 crisis, the prospect of a new IRC for women had seemed unlikely. Over the five years prior to the pandemic, there had been a gradual reduction in the scale and use of detention, including for women.

6.2 This reduction had come about as the result of tireless campaigning, including campaigning by people like Agnes with experience of detention, as well as work by parliamentarians, and through independent reports and reviews.

6.3 The reduction in numbers of women detained had taken slightly longer to achieve than for men - Stephen Shaw's second review published in 2018 had noted that the reduction in numbers by that time had mostly come about through a reduction in the number of men detained. In response to this, the Home Office launched an Alternative to Detention (ATD) pilot scheme, Action Access, to support women to resolve their immigration cases in the community. Alongside this, the Home Office also reduced the number of women it was detaining.

6.4 Notwithstanding the reduction in numbers, serious problems persisted. Vulnerable people continue to be locked up, despite government commitments to improve safeguards against this. The government also continues to hold people for long periods.

6.5 The proposal to open a new IRC for women at Hassockfield marks a clear shift away from the progress that had been made. It also seems to signal an abandonment by the government of its commitment to reducing the use of detention. This commitment had been made in response to Stephen Shaw's two independent reviews of detention in 2016 and 2018.

6.6 The new IRC will have capacity for 80 women. The government insists that it will not constitute an expansion of detention for women. This is not true. During the pandemic, the number of women in detention fell even further - in June 2020, there were only 19 women being held. Women are still being held now at Yarl's Wood, and there are also units for women at Dungavel IRC and at Colnbrook IRC. The government has also recently announced that it will open a new Short Term Holding Facility for both men and women at Morton Hall, even though the site is returning to use as a prison from July 2021. Finally, the government is also abandoning the ATD pilot project for women, Action Access, mentioned above. Fewer women had been able to participate in the project than expected due to the pandemic, but the government nonetheless refused to extend the scheme, so it came to an end last month. This happened before the independent evaluation of the project had been completed or published. It therefore appears the government has decided to open a new IRC for women without considering the learnings from its own ATD pilot project.

6.7 The government had promised three other ATD pilot projects. One had started, but the other two have recently been cancelled by the government.

6.8 The proposal for a new IRC for women needed to be understood alongside the proposals in the government's New Plan for Immigration (NPI), such as the proposed "one stop" process, and raising the threshold for a positive reasonable grounds decisions for survivors of trafficking. Such changes will lead to more women being liable for detention, and also spending longer in detention. In summary, the proposals in the New Plan will make the Home Office's already disastrous practices even worse.

6.9 Gemma shared the story of Voke, a former client of Women for Refugee Women. Voke was detained in 2017 for 8 months. Her mental health deteriorated whilst in detention to such an extent that she attempted to kill herself. When she was released, Voke was recognised as a victim of trafficking and given discretionary leave to remain. Her fresh asylum claim is still being assessed. Voke said things had improved since she was in detention. But she also said she could not forget what had happened to her there - how it felt to be detained for so long, without knowing when it would end.

6.10 What the Home Office had done to Voke was shocking, but it was not unusual. It is vital to not let this happen to more women. If the new Hassockfield IRC opens, it will be very difficult to close it. It was important to work together now to put a stop to the plans.

7. Presentation 3 - Prof. Cornelius Katona (CK), Royal College of Psychiatrists

7.1 Agnes had summed up Prof. Katona's presentation perfectly in three words – detention harms people.

7.2 The Royal College of Psychiatrists (RCPsych) had published a revised position statement on immigration detention the previous day. Their first statement on the subject was published in 2013. It had expressed concerns about the detention of people with a mental illness. It had been published in response to a change in Home Office policy: until 2011, the policy had been that people with a mental illness should only be detained "under exceptional circumstances". That was then downgraded to a policy that such people could be detained if their condition could be managed satisfactorily in detention. So the first statement set out why it was almost impossible to manage mental illness properly in a detention setting. This was due to the non-therapeutic, restrictive nature of a detained environment.

7.3 Stephen Shaw issued his two reviews of detention in 2016 and 2018. These identified various categories of mental illness (such as post-traumatic stress disorder) which, in Shaw's view, made it inappropriate for a person to be detained, except in exceptional circumstances.

7.4 The Home Office responded to the first Shaw Review in 2016 by introducing the Adults at Risk (AAR) policy. Despite its express intention to improve the protection for vulnerable people, the AAR policy introduced two concepts that actually reduced that protection: 1) levels of evidence – ie. that unless the evidence a person has had the chance to obtain is good enough, they can be detained; and 2) the idea that vulnerability factors should be weighed up against a wide range of adverse immigration factors when deciding whether to detain a person – ie. if someone had, for example, delayed submitting their asylum claim, that should be weighed up against their mental illness.

7.5 The updated RCPsych position statement had been published in response to these more recent developments. Its publication had been driven not only because people with mental illnesses continue to be detained, but also because they remain detained despite increasing evidence that they had a mental illness or that their mental illness was getting worse. This was in addition to concerns about the lack of safeguards in detention for people who lacked/had lost decision-making capacity.

7.6 What is known about the mental health of people in detention? There are high rates of mental illness, in particular Post-Traumatic Stress Disorder, depression, and anxiety. There is also evidence that the longer a person was detained, the more likely they become to develop a mental illness and the more severe any pre-existing mental illness are likely to become. Detention is also associated with high rates of suicidal thinking and deliberate self-harm. Deliberate self-harm rates are actually higher in detention than in prison.

7.7 Can mental illness be treated in detention? Modern approaches to treating mental illness centre on the idea of rehabilitation in the community, building and maintaining social networks, and enhancing people's ability to work. All these principles are virtually impossible to implement in a detained setting. Discontinuities of care are also more likely in detention – people receiving treatment for long-term conditions, such as mental illness, may have that treatment interrupted when they are detained, transferred from one IRC to another, and/or on release from detention. There is also inadequate identification of mental illness at the point of detention, and inadequate monitoring to identify deterioration and lack/loss of mental capacity during detention.

7.8 Based on these concerns, the RCPsych have made a number of simple recommendations, including:

- 1) The Home Office should revert to a policy whereby people with mental illnesses are not detained except under exceptional circumstances
- 2) Alternatives to detention should be considered at all stages in the process

- 3) People in detention with mental illnesses are entitled to, and should receive, the same optimal standard of care as they would in any other NHS setting – though, as already noted, that level of care was impossible in a detention setting.
- 4) Healthcare and other IRC staff should be provided appropriate training and support - including on how to identify mental illness, and on avoiding burn-out.
- 5) A “revolving door” phenomenon exists in detention where people’s mental health deteriorates to such an extent that they need to be placed in a psychiatric hospital. They get better in hospital, at which point they are transferred back into detention. Once back in detention, their mental health deteriorates again and the process repeats. This phenomenon is inappropriate, avoidable and should be addressed.

Covid-19 has provided a natural experiment in dramatically reducing the numbers of people in detention. No disasters have occurred. This raises the question of whether detention could be avoided entirely. The Home Office plans to return to pre-pandemic levels of detention once the crisis was over, however. This is a great shame.

The vast majority of those who have remained in detention during the pandemic have been ex- Foreign National Offenders (ex-FNOs). Research had shown that ex-FNOs actually have a higher mental health vulnerability than other detainees so detention is even more likely to harm them.

7.9 Victims of trafficking have high rates of mental illness and can be retraumatised by detention. However, the government had laid legislation that brought potential trafficking victims (PVOTs) fully within the ambit of the AAR policy (rather than the Modern Slavery Act). This change means that a wider range of adverse immigration factors can be taken into account when making decisions about a PVOT’s detention, which had not previously been the case. It will allow the Home Office to detain more victims of trafficking. This seems wrong and harmful. An Early Day Motion (EDM) had been tabled to oppose the legislation. MPs are encouraged to sign it.

7.10 The RCPsych welcomes the APPG’s inquiry into the use of “quasi-detention” sites such as the former army barracks at Penally (Pembrokeshire) and Napier (Folkestone). The college has serious concerns about the sites. For example, there is a lack of vulnerability assessments for residents – both in terms of any mental illness and also any histories of torture, trafficking and other forms of trauma. Such vulnerabilities should result in people not being placed in such accommodation. The sites are also very similar to detention settings, which in turn are very like prison, and result in similar mental health harms. There are important, negative differences too though – for example there is less healthcare provision at the barracks, and less safeguarding.

There is also evidence of increased distress, and increased deliberate self-harm amongst the residents there.

8. Q & A session

8.1 Was the decrease in numbers of people in detention just an increase in the number of people in hotels and barracks? What were the plans for the people in those sites?

CK - Many good alternatives to detention had been identified both in the UK and elsewhere in the world. A useful summary of these was included in the second Shaw Review. Most involved community accommodation with close support, including on resolving the person's immigration case/asylum claim and deciding whether or not to pursue voluntary return. Evidence from these schemes suggested that absconding rates were low and that the schemes were viewed positively by people referred to them.

Generally it does not appear that people are being sent to contingency accommodation rather than detention. Most of the increase in use of contingent accommodation has come as a result of slowing in the Home Office's asylum decision-making processes and dispersal accommodation not emptying as it normally would do. The Home Office would say the increase was due to more people arriving (particularly in small boats), but actually the number of new asylum seekers arriving in the UK is much lower than before the pandemic. The Home Office justifies the use of contingency accommodation on the basis that there is not enough mainstream asylum accommodation. They could address this by speeding up the asylum decision making process.

GL - The Action Access pilot project was run with Action Foundation, a charity based in Newcastle, on the doorstep of where they are planning to open the new IRC. The pilot was for asylum-seeking women. It was very focused on engagement, support and resolving the women's cases. They were provided financial support, accommodation, and caseworkers to support them with the immigration process. All the women participating had had asylum claims refused and were appeals-rights exhausted, so were liable for detention. An important part of the pilot was an independent review of the women's cases by an independent legal advisor. Equally, if it became clear that the woman's asylum claim would not succeed, then other routes to regularisation were explored.

The pilot represented a real shift in the Home Office's approach, from enforcement to engagement. It is a shame that it, and two of the other three pilots, had been abandoned. The Home Office does not seem interested in pursuing a different approach at the moment.

8.2 Paul Blomfield MP - he and a number of other MPs had met Ministers and officials in the Home Office 18 months ago and there had seemed to be real commitment to exploring ATDs. Clearly this has changed. Many colleagues across the House would have concerns about that. But it is important to think about how to frame the arguments. It is important to push for the publication of the Action Access evaluation and to focus on the positive findings from this.

8.3 Jane Leech, Independent Monitoring Board - Hassockfield is extremely isolated. There appears to be an equalities point to make: the Home Office's approach to the male estate is to concentrate it around major airports (Heathrow and Gatwick); in contrast they will be placing women in very remote locations. The remoteness is likely to have a detrimental effect on women in terms of accessing services and receiving visits, including from their children, as compared with the men. It is likely that women would be moved around for short stays at different centres/units. This would be very distressing and disruptive for them.

8.4 Nadine Tunasi, Survivors Speak OUT (SSO) - the public often do not identify people in detention as human beings. People are detained for months having committed no crime. They are not told about their rights, and treated as less than human beings. What circumstances could ever be "exceptional" enough to justify detaining a vulnerable person?

CK - Someone might need to be in a particular place for a very short time before their removal. But this was very exceptional and also often not necessary - a lot of removals are voluntary and take place from the community. The burden should be on the Home Office to prove that the circumstance are exceptional - instead of the current situation where detention is 'normal'.

8.5 Rudy Schulkind, Bail for Immigration Detainees (BID) - Many of the proposals in the New Plan for Immigration will increase the number of people at risk of detention, including the proposal to punish anyone who arrived in the UK irregularly, making them liable for removal at any point. We may see more attempts to build more IRCs. It is important to resist this.

The government will lay secondary legislation this autumn to bring in GPS monitoring tags for anyone facing deportation. The Home Office will be able to use the data from the GPS monitoring c for a multitude of purposes, including to challenge claims made in the person's Article 8 application. It is important to be aware of the ways, like this, that detention is increasingly being brought into the community.

8.6 Ali McGinley, AVID - Short-Term Holding Facilities (STHFs) are often overlooked, but have some of the worst conditions across the estate. A new STHF is being opened at Morton

Hall soon. Women are held with men at STHFs - this can be very distressing for them. The Home Office have not provided any justification or evidence for the decision to open these new facilities.

8.7 Mishka, One Strong Voice - What is happening with the smaller units for women at other centres?

GL - in addition to Hassockfield, the Home Office will continue to hold women at Yarl's Wood, though the Home Office has not publicly confirmed how many women. Women will also continue to be held at small units at Dungavel and Colnbrook IRCs. There will also be a new STHF at Morton Hall.

The detention capacity for women seems to be being extended in various ways, with very little scrutiny. Anything that parliamentarians can do to hold the government accountable on this will be very welcome.

9. Agreed actions

9.1 The APPG will write to the Home Secretary to raise various concerns discussed in the meeting, including the points in relation to the cancelled ATD pilots.

9.2 Members who have not yet signed the EDM on the detention of PVOTs are encouraged to do so.

9.3 Andy Murphy in Alison's office will coordinate efforts to secure a Westminster Hall debate. This will involve Members all submitting similar applications on an agreed date.

10. Meeting closed