



association of visitors to
immigration detainees

Association of Visitors to Immigration Detainees (AVID)

Response to APPG on Immigration Detention Inquiry into ‘quasi detention’

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1. About AVID

AVID is the national network of volunteer visitors’ groups to places of immigration detention in the UK. We provide a range of supports to our member organisations, working with and through them collectively at a national level. AVID members have a presence in every single detention centre in the UK, as well as in residential STHFs, and some prisons. For over 25 years we have worked to ensure the rights of individuals subject to immigration detention are upheld, while ensuring their access to emotional and practical support. At present, our members are providing support to those held in ‘quasi detention’ at Napier barracks and in current or previously re-designated detention centres including Tinsley House IRC and Yarl’s Wood IRC.

2. The Inquiry

AVID welcomes the APPG inquiry into ‘quasi detention’ or the use of institutional sites, including detention centres, as asylum accommodation. As a national body that has members who – prior to the COVID 19 pandemic – were a regular presence in detention settings, our knowledge of the day to day realities for people in detention is well documented. As such, we are very concerned that these new sites replicate the very worst features of detention. The findings of the recent joint Her Majesty’s Inspectorate of Prisons (HMIP) and Independent Chief Inspector of Borders and Immigration (ICIBI) inspection of contingency asylum accommodation (Penally and Napier) were not an easy read and validate these concerns. As the Government’s new plan for Immigration will also potentially widen the scope of those liable for detention at any time and also outlines plans for ‘reception centres’, the APPG Inquiry is timely and very necessary.

3. Our response

3.1. Conditions and location: The features of the site that are cause for concern are well documented in the HMIP/ICIBI inspection findings. The conditions reported by the

HMIP/ICIBI inspection findings mirror those of our members who are providing support to people held in quasi detention settings. We therefore echo, and endorse, their findings.

- 3.2. AVID member group Jesuit Refugee Service UK has been providing support to people in both Napier Barracks and Tinsley House IRC. Their submission details substantive evidence of the harm caused by these forms of 'accommodation'. We therefore support and endorse their submission.
- 3.3. The isolated locations – whether in former barracks or in re-designated detention centres – serve to further marginalise people seeking asylum or seeking to regularise their immigration status. The consequences for individuals are similar to that of detention: being isolated and cut off from support networks, without access to legal advice, adequate medical care and other specialist help, while being held in wholly inappropriate conditions for an uncertain length of time. The physical location of some sites, particularly the former barracks, has put people at risk of targeted harassment from far right groups.
- 3.4. The physical conditions inside the spaces at the barracks has also been shown to be a safety risk. This includes a very real risk from fire, an amplified risk of COVID 19 transmission and the accompanying emotional stress that this brings. Both of these risks have unfortunately now become realities.
- 3.5. Inappropriate use of detention as 'asylum accommodation': Relating to the use of re designated detention accommodation in particular, these sites are wholly unsuitable as 'accommodation' for people seeking asylum. Detention centres are of a similar security level as prisons. The mental health impact of incarceration in a detention centre is well documented. For people newly arrived in the UK and for people seeking asylum or seeking to regularise their immigration status, the use of prison conditions as accommodation is accompanied by a huge risk of re-traumatisation. Tragically, evidence bears this out. In Brook House in 2020, as reported by the Independent Monitoring Board (IMB), there were 'unprecedented' levels of suicidal ideation and self-harm in the centre¹. Many of those held there at this time were new arrivals who had made crossings on small boats. AVID member organisations supporting people at Brook House during this time also raised concerns about the level of self-harm and distress of individuals held there and subject to the expedited removals process at the end of last year.
- 3.6. Jesuit Refugee Service UK note that, in Napier Barracks, they "*observed spiralling mental health among those accommodated...our detention outreach team specifically found this very similar to the way individuals' mental health deteriorates within detention*". Their evidence substantiates point 3.5 above.
- 3.7. Further, the physical location of detention sites near airports has left people held inside unable to access basic medical care or other amenities. Airport detention centres are largely without accessible local amenities: they are at a considerable distance from any local GP practice, supermarket or other shops, for example. People held in the Gatwick centres when re-designated as asylum accommodation described the difficulties they had in accessing a GP or in accessing other supports nearby to the centre.
- 3.8. Lack of information and poor communication about 're-designated' detention sites, and problems with access: The sudden re-designation of other sites such as Tinsley House or Yarl's Wood as 'contingency accommodation' also leaves people inside unsure of their rights, and those who are supporting them unclear about accountability, scrutiny, and

¹<https://www.bbc.co.uk/news/uk-england-sussex-57199078>

availability of services. Volunteers such as visitors are unable to signpost people to safeguarding mechanisms or support normally afforded in places of detention such as healthcare. Similarly, there has been little evidence of strategic thinking to inform the

emergence of the use of former barracks as asylum ‘contingency’ accommodation in 2020. In both types of accommodation, people held there and their friends, families, lawyers and specialist supports have struggled to find information or clarity about the nature of the provision within these settings.

- 3.9. Similarly, AVID has been contacted by several charities local to the barracks sites who have outlined the difficulties they have had in gaining access to the sites to provide supports including emotional and practical support, purposeful activities, or information about their rights. We are concerned that the level of access to external supports in the barracks and elsewhere is currently extremely poor. The importance of specialist support – including that provided by AVID members in detention – cannot be underestimated. That there are a number of local, skilled volunteers willing to provide additional support to those held, but that this access to this support has been obstructed by contractors and management at the site is a huge concern.
- 3.10. AVID has previously raised that communication from contractors and the Home Office to key stakeholders has been extremely poor throughout the pandemic and this has included provision of basic information to support NGOs, including AVID members, in both detention and quasi detention settings. In 2020 we raised this with the Home Affairs Select Committee as part of their investigation into Home Office preparedness for COVID 19. A recommendation of the HASC at the time was that “the Home Office and its providers must communicate timely and accurate information to NGOs as well as to service providers working to support people in immigration detention²”. Unfortunately communication has not improved and our member organisations, and other charities, report a series of challenges in gaining access and in being able to deliver support.
- 3.11. Need for formal scrutiny and independent monitoring of quasi detention: The ad hoc policy implementation of the various sites of quasi accommodation has meant that these sites have begun to operate without formal scrutiny or basic safeguards, such as those afforded by the Detention Centre Rules in detention centres.
- 3.12. The secondment of statutory scrutiny bodies to inspect the barracks with a visit by the Independent Chief Inspector of Borders and Immigration (ICBI) and Her Majesty’s Inspectorate of Prisons (HMIP) resulted in an interim report detailing the shockingly inadequate conditions in the barracks. This only further underlines the need for transparency and increased formal scrutiny of these sites, which are at the moment not subject to any monitoring or formal inspection process whether by the HMIP or the Independent Monitoring Boards. As these sites bear the hallmarks of other forms of accommodation which deprive people of their liberty, they should be subject to the same monitoring as part of the UK’s obligations under OPCAT and via the National Preventive Mechanism (NPM), to strengthen protection.

4. Recommendations

- 4.1. That the Government closes all sites of quasi detention immediately, in light of the evidence highlighted by the HMIP/ICBI inspection.
- 4.2. In light of the very real risks posed to those held in quasi detention, that the Government discontinues the use of these facilities and reaffirms its commitment to a reduction in the

²See House of Commons Home Affairs Committee ‘Home Office preparedness for COVID-19 (Coronavirus): institutional accommodation’ Fourth Report of Session 2019–21, at <https://committees.parliament.uk/publications/2171/documents/20132/default/> use of immigration detention and the consideration of community based case management approaches where cases can be resolved in the community.

- 4.3. Until these facilities close, the Government and its contractors should prioritise safeguarding those held.
- 4.4. This should include as a bare minimum, access to legal advice and unhindered access to NGO and other charitable and specialist support provision for those held in quasi detention.
- 4.5. There is an urgent need for independent statutory monitoring of these facilities. The Government and its contractors should work with HMIP, the ICIBI and the IMB to ensure these sites are subject to the same protection mechanisms as other places where people are deprived of their liberty.

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