

**Gatwick Detainees Welfare Group submission to the APPG on Immigration**  
**Detention's inquiry into quasi-detention**

1. Gatwick Detainees Welfare Group (GDWG) was set up in 1995 and primarily works to improve the welfare and well-being of people held in detention, by offering friendship and support and advocating for fair treatment. GDWG has approximately 70 volunteers, who visit and assist people held in immigration detention at Brook House and Tinsley House.
2. We offer both practical and emotional support to people held in immigration detention. We seek to advocate on behalf of particularly vulnerable detainees. Each year we work with over 1,000 people in Brook House and Tinsley House IRCs. Staff listen, give practical advice and when appropriate refer detainees to external specialist organisations. Other aspects of GDWG's service include helping people in detention to maintain contact with families and others in the community.
3. In addition to this core work, we carry out investigations and research on the issues we identify from working directly with people in detention. In recent years we have authored several reports, including *Cutting Justice*<sup>1</sup>, which considered the impact of legal aid cuts on those detained, and – most recently – *Don't Dump Me In A Foreign Land*<sup>2</sup>, which concerns those who arrive in the UK as children and go on to be detained.
4. As part of the Detention Forum<sup>3</sup> network and through our own Refugee Tales<sup>4</sup> project, we also work to draw public attention to issues surrounding immigration detention, and for judicial oversight of both decisions to detain and also to maintain detention.

**The use of Tinsley House IRC as 'bail accommodation'**

5. Prior to the Covid-19 pandemic Tinsley House was used as an IRC and it held up to 150 men.

<sup>1</sup> <https://www.gdwg.org.uk/app/uploads/2018/04/cuttingjustice.pdf>

<sup>2</sup> <https://www.gdwg.org.uk/app/uploads/2018/04/youngarrivers-online-1.pdf>

<sup>3</sup> <https://detentionforum.org.uk/>

<sup>4</sup> <http://www.refugeetales.org/>

6. Currently Tinsley House IRC is being used as a Short-Term Holding Facility, in which men can be detained for up to 72 hours. The Home Office are holding people seeking asylum there who have crossed the channel in small boats.
7. In February to March 2021 12 men were held in Tinsley House for a month after being transferred from Napier Barracks. We were alerted by other NGO's and legal representatives that the men had been transferred there. There was a lot of confusion among the professionals as it was not clear why the men had been transferred to Tinsley House. There was also minimal contact possible at first as they did not have their property with them.
8. When we spoke to staff at Tinsley House it was explained that the men were being housed in Tinsley House as 'bail accommodation' and had not been formally recognised as detained people. Despite this there were many similarities between the conditions imposed on the non-detained residents and the conditions at Tinsley House for those who are detained there. Aside from the obvious fact that Tinsley House is an imposing, purpose-built detention centre, which is surrounded by high fencing, like a prison, the regime inside the IRC was also highly restrictive.
9. We gave emotional and practical support to the men held in Tinsley House and made several visits in the time they were held there.
10. It was very challenging to support the men whilst they were in Tinsley House as the staff in the centre were not able to assist with their care in the same way they would if they were detained. The safeguards and support that are normally put in place for detained people were not available to the men accommodated there. This situation was of great concern to GDWG.

### **Detention-like conditions at Tinsley House**

11. The manner in which the men were taken to Tinsley House IRC mirrored the experience of those detained. They were taken suddenly, without their belongings and with no warning. The men arrived with only the clothes they were wearing, some without their mobile phones and all of them without access to chargers for their phones. This meant that although they had their phones with them, they were unable to use them once the batteries had run out. This inhibited contact between at least some of the men and their legal representatives, support organisations and their family and friends, leaving the

men extremely isolated. This is a common problem faced by people who are detained. GDWG and other NGOs worked together to supply the men with chargers, sim cards and mobile phones. Without our intervention the men would have been without means of communication.

12. The lack of access to property left some of the men without their medication which was left behind in Napier Barracks. Similarly, they also reported not having access to toiletries and other personal items such as equipment to learn English and sentimental items such as photographs. Charities supporting the men tried to engage with the management of the barracks to retrieve the men's belongings, however they were unable to retrieve their property for over two weeks and some people were never reunited with their belongings. There was no assistance from the Home Office to help retrieve the men's belongings. The lack of access to property left the men dehumanised and unable to even change their clothes.
13. For the first 10 days the men were unable to leave Tinsley House IRC at all because they were being isolated due to being in contact with people with Covid-19 symptoms. However, the isolation regime was not clearly communicated with the men at first and therefore many believed that they were detained. As far as we are aware, the men were not told that they could leave for certain reasons, for example to seek medical attention. We were told by the men in Tinsley House that when the restrictions were explained to them, the staff had informed them that if they chose to leave Tinsley House the police would be called.
14. After the 10-day isolation period came to an end the men were told by staff that they "may come and go as they please". However, this did not accurately describe the position and there were many real and practical obstacles in the way of the men exercising free movement.
15. While the doors to their rooms were unlocked, the men were housed in areas within the IRC complex from which it requires passing through a number of locked internal doors, corridors, and gates in order to reach the outside. Of course, the men were not issued with keys or security fobs. Therefore, the men had to first ask staff to be allowed out through the IRC. The men had to provide their name, which was logged, before they were escorted through the building to the outside of the IRC. When our staff visited Tinsley House, we observed staff letting people through the visits room to the reception using their security

fobs, indicating that the usual detention regime security remained in place, with internal doors being kept locked.

16. The men were told that there was a curfew, past which time they were not allowed to request to leave Tinsley House.
17. If the men left the centre, they faced the practical difficulties caused by the remote and inaccessible location. Tinsley House IRC is located next to a motorway and an airport. There is a bus route which runs from near Tinsley House IRC to Gatwick Airport and the local town. Where there are a number of small supermarkets. However, the men were not provided with any cash from the Home Office and therefore could not take a bus. The town is a 25-minute walk from the IRC, it is a difficult route due to the lack of pavement on the Perimeter Road South, where Tinsley House is located, and would require navigation using Google Maps or a similar app. Without the help of charities, the men would have no access to top-up for their phones, which could have resulted in them finding it difficult to find their way around the area. The local area near to Tinsley House IRC is not a residential area and there is a lack of pavements or zebra crossings for those on foot.
18. The men reported to GDWG staff that the Tinsley House staff were “always watching” them. The staff continued to patrol Tinsley House as usual. There is also a network of CCTV cameras which we imagine were still in place and being used in Tinsley at the time the men were accommodated there. This means the men had very little privacy and were subjected to monitoring 24 hours a day, in the same way that people who are detained there would be.

#### **Lack of access to healthcare**

19. The men were told that they were unable to access the healthcare services onsite. They were told that if there was an emergency, they could call the emergency services. Healthcare at Tinsley House told the men that all the onsite healthcare could provide was paracetamol and they were directed to contact their GP or 111.
20. Prior to arrival at Tinsley House, most of the men were accessing the nurse onsite at the Napier barracks and were not registered to a GP. At least several of the men suffered with acute mental health issues and many had physical health issues too.

21. People who are detained at the IRC would usually have access to the onsite healthcare team, which would provide primary care, including a mental health team, access to a doctor and nurses and prescriptions. For those who were registered to a GP, it was miles away and not practical to access medical care from. This was a stark example of how the current regime at Tinsley House is treating the men without the fundamental safeguards which would be expected for those residing within the IRC.
22. We were told by men who saw the healthcare at Tinsley House that they were told that all the onsite healthcare could provide was paracetamol and they were directed to contact their GP or 111. For those who were registered to a GP, it was miles away in Kent and not practical to access medical care from.
23. The men were not provided with any support from the Home Office or staff at Tinsley House to find or register with the local GP. NGOs established that the closest GP practice to Tinsley House, that was accepting new referrals, was 1.9 miles away. Which was a 56-minute walk from the IRC. New patients were required to register in person with identification documents, however many of the men did not have access to sufficient documents. Without access to interpreters or transport to the GP surgery it would have been extremely difficult for the men to register locally. None of the men successfully registered with a GP over their time in Tinsley House.

**Lack of access to mental health support or mechanisms to identify and safeguard vulnerable people**

24. Many of the men were extremely vulnerable due to their various histories of trafficking, torture and some were diagnosed with mental health conditions. Many of the men told staff that the conditions at Tinsley House were exacerbating their mental health problems and causing a great deal of mental distress. This was particularly true for the men who had previously been imprisoned or held in controlled circumstances and abused or exploited. For those men the conditions in Tinsley House were reminiscent of the mistreatment they had experienced before. Many of the men also told us that being held in an IRC that they know is used to deport and remove people from the country was disturbing.
25. The majority of the men described problems with sleeping, anxiety,

depression, and thoughts of self-harm. The lack of information about their situation and why they were being held in an IRC compounded their anxiety and stress. Some of the men also started to refuse food and/or fluids.

26. During their time at Tinsley House several of the men disclosed thoughts of self-harm. Following receipt of such messages, we contacted Tinsley House to ask staff to carry out welfare checks. This is something that we do regularly on behalf of those detained at the IRC. The staff at Tinsley House indicated they were not responsible for the men's welfare, however they accepted that they still had a basic duty of care to the men while they are residing in the IRC. Staff agreed to carry out welfare checks and stated that they would "keep an eye" on the men to try to prevent suicide attempts.
27. In this time we were concerned that the measures in place to safeguard the men and prevent harm to their mental health were wholly inadequate. If the men were being held in formal detention, it would be normal practice for them to be assessed by a professional mental health team at the IRC.

#### **Lack of oversight and access to basic services**

28. GDWG sought clarification from the Home Office and Serco about the rules and regime being imposed on the men who were being held in Tinsley. However, we found that it was difficult to find out any information and we did not receive a response to our queries.
29. When Tinsley House operates as an IRC, the Independent Monitoring Board ("IMB") has functions in term of oversight and independent access to the IRC and people detained there, their role is the same throughout the prison estate. We contacted the IMB to raise our concerns about the current conditions and lack of safeguards at Tinsley House. We were told by the IMB that the men in Tinsley House are not under their remit because the IRC is not currently being used as an IRC or Short-Term Holding Facility. IMB oversight is a mechanism put in place to safeguard people held at Tinsley House IRC and this independent monitoring was not available to the men currently held there.
30. Although the men were allowed smart phones in the IRC, they did not have access to the wi-fi. We were told that this was because the wi-fi was "secure" and they were not provided with the password. This left the men without free access to the internet. They were dependant on the data on their mobile phones, which they have to pay for. This is expensive and runs out quickly. Due

to the geographical area that the IRC is situated in, the signal is also very poor. This means it was difficult to make video calls and watch videos online, which further denied the men access to the outside world. Some of the men were provided access to the Tinsley House computers, however, use of those computers were still restricted as they would have been when used as an IRC. For example, access to all social media sites were blocked.

### **Access to legal advice**

31. Usually there would be legal aid solicitors available to detained people through the Detained Duty Advice scheme, these were not running. In the local area there are very few immigration legal aid solicitors. Therefore, the men relied solely on NGOs to access legal representatives. Without the help of NGO's, it would have been very difficult for the men to access legal advice.
32. Furthermore, there are not many local charities assisting migrants and the men's access to NGO support was limited. It was lucky that many of the men were already in touch with NGOs who were able to continue assisting them. If this had not been the case and NGOs had not been so proactive, the men could have been left without any support at all. The NGOs have had to fulfil vital roles in these circumstances because of the lack of services and support being provided to the men at Tinsley House.
33. Overall, GDWG are extremely concerned that the Home Office is using a secure IRC as accommodation for people seeking asylum. The men were held in an IRC, under high levels of control and without access to the basic services usually in place for people detained. From our contact with the men held in Tinsley House earlier this year, it is clear that the circumstances of their living arrangements were causing an extreme amount of escalating, anxiety and distress. Many of the men were already traumatised from their time spent in the Napier Barracks and expressed to GDWG staff that being moved to the IRC made them feel like they were being punished.

### **Conclusions and recommendations**

34. IRC's and other secure settings are not suitable accommodation for people fleeing persecution who have frequently been victims of trafficking and/or torture.
35. Being held in a prison-like setting, even if movement in and out of the centre is possible, has a negative impact on people's mental health. Most IRCs are in

isolated areas, far from towns, parks, or residential areas and this results in people being unable to access healthcare services and other much needed psycho-social support. In such centres there are not appropriate safeguards in place to support vulnerable individuals and people do not have access to mental health support.

36.GDWG recommends that the Government immediately stop accommodating people seeking asylum in IRC's now and in the future.