



# **All-Party Parliamentary Group on Immigration Detention**

## **Report of the Inquiry into Quasi-Detention**

**December 2021**

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## About the APPG on Immigration Detention

The All-Party Parliamentary Group (APPG) on Immigration Detention brings together Parliamentarians from across the political spectrum who share concerns about the use of immigration detention in the UK.

The group aims to raise awareness within Parliament about immigration detention and its impacts. It offers Members of Parliament and Peers opportunities to debate issues with relevant experts from outside Parliament, including people with lived experience of detention, as well as lawyers, medical professionals, academics and representatives from non-profit organisations. Using the information gathered through its work, the APPG advocates for evidence-based reforms to immigration detention policy, and for the welfare of detainees.

The current Chair of the APPG is Alison Thewliss, MP for Glasgow Central. A full list of officers and members of the APPG is available at <https://appgdetention.org.uk/about/current-members/>.

The secretariat of the APPG on Immigration Detention is provided by the charity Medical Justice.

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## Acknowledgements

The APPG Inquiry Panel would like to thank all those who participated in the Inquiry through submitting written and oral evidence. A full list is available at Appendix 1.

It is particularly grateful to the residents of Napier Barracks and Penally Camp who shared their personal experiences of being accommodated at the sites. The group is conscious of the bravery required to speak out on these issues when directly affected by them, and of the emotional toll that this can take.

The APPG Inquiry Panel would also like to thank Elspeth Macdonald at Medical Justice for her work in managing the Inquiry and writing the interim and final reports, as well as Idel Hanley and Ariel Plotkin for their assistance with report drafting. The Panel is also grateful to Andy Murphy, Kirsty McCafferty and Lauren Wards in Alison Thewliss MP's office for their support of the Inquiry.

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## Glossary of abbreviations

<b>APPG</b>	All-Party Parliamentary Group
<b>ASF1</b>	Asylum Support Application Form 1
<b>AVID</b>	Association of Visitors to Immigration Detainees
<b>BID</b>	Bail for Immigration Detainees
<b>CPFSI</b>	Crown Premises Fire Safety Inspectorate
<b>CRH</b>	Clearsprings Ready Homes
<b>CROP</b>	Camp Residents of Penally
<b>DOTW</b>	Doctors of the World
<b>EIA</b>	Equality Impact Assessment
<b>GDWG</b>	Gatwick Detainees Welfare Group
<b>HBF</b>	The Helen Bamber Foundation
<b>HMIP</b>	Her Majesty's Inspector of Prisons
<b>ICIBI</b>	Independent Chief Inspector of Borders and Immigration
<b>ILPA</b>	Immigration Law Practitioners' Association
<b>IRC</b>	Immigration Removal Centre
<b>JRS UK</b>	Jesuit Refugee Service UK
<b>MOD</b>	Ministry of Defence
<b>NGO</b>	Non-Governmental Organisation
<b>NICE</b>	UK National Institute for Health and Clinical Excellence
<b>PAP</b>	Pre-Action Protocol
<b>PTSD</b>	Post-Traumatic Stress Disorder
<b>QARN</b>	Quaker Asylum and Refugee Network
<b>RAF</b>	Royal Air Force
<b>SBHL</b>	Stay Belvedere Hotels Ltd
<b>SNP</b>	Scottish National Party
<b>STHF</b>	Short-Term Holding Facility

## About the APPG Inquiry

In May 2020, the APPG on Immigration Detention launched an inquiry into the UK government's use of former UK military bases and Immigration Removal Centres (IRCs) to house people seeking asylum. These have included Napier Barracks in Kent, which remains in use at the time of publication, Penally Camp in Wales, Tinsley House IRC near Gatwick Airport in West Sussex, and others.

Large-scale and institutional in nature, the sites replicate many of the features found in detained settings – including visible security measures, surveillance, shared living quarters, reduced levels of privacy and access to healthcare, legal advice and means of communication, and isolation from the wider community. In the APPG Inquiry Panel's view, they are most accurately described as 'quasi-detention'.

Serious concerns about the sites have been raised by a wide range of organisations, including independent inspectors, the High Court, parliamentarians, charities and residents themselves. The issues identified relate not just to how the government has been operating the sites, but also to the sites' fundamental suitability for the purpose of accommodating people seeking asylum – given the likely histories of torture, trafficking and/or other forms of serious trauma, and ongoing health and legal needs of such individuals.

The APPG Inquiry was led by a cross-party panel of 10 parliamentarians and was facilitated by the group's secretariat Medical Justice. The panel members were:

- Alison Thewliss MP (SNP) – Chair
- Paul Blomfield MP (Labour)
- Wendy Chamberlain MP (Liberal Democrat)
- Mary Foy MP (Labour)
- Richard Fuller MP (Conservative)
- Helen Hayes MP (Labour)
- Anne McLaughlin MP (SNP)
- Bell Ribeiro-Addy MP (Labour)
- Lord Roberts of Llandudno (Liberal Democrat)
- Baroness Lister of Burtersett (Labour)

The APPG Inquiry received 26 written evidence submissions and conducted three oral evidence sessions. Respondents included residents accommodated at the sites, medical and legal experts, charities working directly with residents, and on-site contractors.

Details of the APPG Inquiry's terms of reference and more information about the evidence received, including a list of witnesses at the oral evidence sessions, is available at Appendix 1.

For reasons of scope, the APPG Inquiry did not cover the use of hotels as asylum accommodation. However, the APPG Inquiry Panel notes that many of the concerns relating to the use of military bases and IRCs also apply to hotels and that people accommodated at them are facing many similar difficulties.

Readers may note that the report provides a more detailed discussion of the situation at Napier Barracks than at other sites. This reflects the fact that Napier is still in use and was therefore the focus of much of the evidence received by the APPG Inquiry. It does not indicate that conditions at the other sites were of any less concern.

All the evidence submitted to the APPG Inquiry, including the written submissions and videos and written transcripts of the oral evidence sessions, is available at:

<https://appgdetention.org.uk/inquiry-into-quasi-detention-evidence/>

The report is divided into various sections. Section 1 provides background information about the development and use of quasi-detention sites as asylum accommodation, including details of used/operational sites and halted sites. Section 2 details the evidence presented to the APPG Inquiry regarding Napier Barracks and Penally Camp, while Section 3 focuses on Tinsley House IRC. Finally, Section 4 lays out the conclusions and recommendations of the APPG Inquiry Panel following their consideration of the evidence.

## Executive summary

Since spring 2020, the government has been developing and using two new types of sites to house people seeking asylum – former UK military bases and Immigration Removal Centres (IRCs). The sites have included Napier Barracks in Kent, which remains in use at the time of publication, Penally Camp in Wales, Tinsley House IRC near Gatwick Airport in West Sussex, and others.

The government has repeatedly stated that such sites are “safe”, “secure”, “coronavirus (Covid-19)-compliant” and “fit for purpose”.<sup>1</sup> The evidence gathered during this APPG Inquiry reveals an entirely different and extremely alarming situation. It shows how people accommodated at the sites – who have come to the UK seeking safety and sanctuary – have been subjected to appalling treatment and conditions. The experience has left many of them feeling dehumanised, exhausted and suffering a profound deterioration in their mental health, in some cases to the point of attempting suicide.

The APPG Inquiry received 26 written evidence submissions and conducted three oral evidence sessions. Respondents included residents accommodated at the sites, medical and legal experts, charities working directly with residents, and on-site contractors.

Much of the evidence collected showed how certain features inherent to the sites jeopardise the mental health and wider well-being of people seeking asylum, and make them fundamentally unsuitable for use as asylum accommodation. These include:

- The physical and social isolation induced by the sites making access to support and building links with the community more difficult
- Their military/prison-like nature, which for survivors of torture, trafficking or other serious forms of violence, as many asylum-seekers are, can be re-traumatising
- The prevalence of shared facilities, including dormitories, toilets and showers, and the associated lack of privacy and sleep deprivation
- The difficulty of disclosure of sensitive information in such settings, and the potential impacts of this on residents’ ability to access the asylum system, healthcare and other support
- The restriction and surveillance of residents’ movements, leaving them feeling trapped

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<sup>1</sup> See for example: [https://www.folkestone-hythe.gov.uk/media/3000/Contingency-Asylum-Accommodation-Ministry-of-Defence-Sites-Factsheet/pdf/Contingency\\_Asylum\\_Accommodation\\_Ministry\\_of\\_Defence\\_Sites\\_Factsheet.pdf?m=637381172008830000](https://www.folkestone-hythe.gov.uk/media/3000/Contingency-Asylum-Accommodation-Ministry-of-Defence-Sites-Factsheet/pdf/Contingency_Asylum_Accommodation_Ministry_of_Defence_Sites_Factsheet.pdf?m=637381172008830000); <https://questions-statements.parliament.uk/written-questions/detail/2020-11-27/HL10837>; <https://hansard.parliament.uk/lords/2021-03-16/debates/09EA88F1-6B46-4639-9C81-800466A4B908/IndependentChiefInspectorOfBordersAndImmigrationSiteVisits>; <https://questions-statements.parliament.uk/written-questions/detail/2021-06-11/14183>

- The way in which the sites become a target for individuals and groups, including members of the far-right, who hold racist and anti-migrant views, resulting in residents being harassed and abused
- The lack of Covid-19 safety

The evidence also identified many operational failings on the part of the Home Office and its contractors. These exacerbate the harmful effects of being accommodated at the sites, and include:

- Inadequate safeguarding, resulting in many vulnerable people being accommodated at the site, including unaccompanied age-disputed children; people who are self-harming, suicidal and/or have serious mental health conditions; and victims of torture, trafficking or other serious abuse
- Inadequate provision of on-site healthcare, including an absence of mental healthcare services despite high levels of mental health vulnerabilities amongst residents, and barriers impeding access to healthcare in the community
- Inadequate access to legal support, both in relation to asylum advice and public law advice
- Intimidation and mistreatment of residents by on-site staff
- Distressing transfers of residents to the sites
- Inadequate food and nutrition
- Poor communication with residents by Home Office
- Poor levels of cleanliness and repair
- Fire safety concerns

Testimonies from residents at Napier and Penally gathered during the APPG Inquiry made clear the disturbing impacts that the sites have had on people’s mental health in particular:

Oscar<sup>2</sup>, resident at Napier – “I’m almost finished. The place is not good for me. It should be a good place, not this. I can’t sleep, there is so much noise at night. Everyone has their own problems, everyone is noisy, everyone is stressed, everyone is worried, everyone is tense. I sleep maybe 2-4 hours a night. I think about my life, I think about my wife and children. I think about why my life is so bad”.<sup>3</sup>

Victor<sup>4</sup>, resident at Napier – “When I arrived, the fear completely overwhelmed me. The design of the camp was oppressive, the high fences, the sheer numbers of people, the security who... looked like they were from the military. It was terrifying and I could feel it through my whole body. It reminded me of the military camps in [my home country]. I was in complete shock for the first few days. I did not sleep at all and I did not eat... I did not

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<sup>2</sup> Name changed to protect individual’s identity

<sup>3</sup> Oscar, [Oral evidence session 2 – Part 2](#)

<sup>4</sup> Name changed to protect individual’s identity



speak to anyone. I was in shock. My body was in shock. It reminded me of [my home country] and I could not function”.<sup>5</sup>

A Jesuit Refugee Service (JRS UK) client, resident at Napier – “[It is] like being in a psychiatric hospital... there are people rapidly becoming more and more mentally unwell around you, one has just tried to kill himself, another is in pain, another is very stressed and cannot cope... I could not cope with it all the time. I did not feel like a person when I was there”.<sup>6</sup>

Kenan<sup>7</sup>, resident at Penally – “Living at that camp had a very negative impact on me. Before living at the camp, my mental health was fine. However, I quickly become depressed as a result of the conditions within the camp. I began to lose my hope that the situation would change. I felt abandoned and did not understand why I had been chosen to live in those dire conditions... It would be difficult to design a system that more perfectly delivers despair and deteriorating human health and mental capacity than these asylum camps”.<sup>8</sup>

In August this year, the government extended its use of Napier until at least 2025, and the Home Secretary confirmed that the site will “inform the final design” of the new asylum accommodation centres proposed in the Nationality and Borders Bill currently making its way through Parliament.<sup>9</sup> A tender was also issued for the new accommodation centres which stated that they will house “up to c.8,000 service users”.<sup>10</sup>

These developments suggest it is the government’s intention to make large-scale, institutional, quasi-detention facilities – including the site at Napier and the new accommodation centres - into a permanent and widespread feature of the asylum accommodation system.

It is well-known that there is an urgent need for more asylum accommodation in the UK. But as this report shows, the use of quasi-detention facilities is not, and can never be, an effective or appropriate solution to this problem. The profound harm inflicted on people at Napier, Penally, Tinsley House IRC and other similar sites is clear from the evidence collected. It cannot be allowed to continue, let alone to be expanded.

In light of this, the APPG Inquiry Panel makes the recommendations to the government laid out below.

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<sup>5</sup> Victor, [Oral evidence session 2 – Part 2](#)

<sup>6</sup> [Jesuit Refugee Service UK \(JRS UK\)](#)

<sup>7</sup> Surname removed to protect individual’s identity

<sup>8</sup> Kenan, [Oral evidence session 2 – Part 1](#)

<sup>9</sup> <https://committees.parliament.uk/publications/7159/documents/75641/default/>

<sup>10</sup> <https://www.contractsfinder.service.gov.uk/notice/200ecd04-fc0d-4622-8aeb-ab8f9c126780>

## Recommendations:

- 1) In relation to current or former quasi-detention sites, the government must ensure:
  - a) Napier Barracks is closed as asylum accommodation with immediate and permanent effect, and that people seeking asylum accommodated at Napier are moved directly to decent, safe housing in the community that allows them to live with dignity
  - b) Penally Camp remains closed as asylum accommodation and is not used for that purpose at any point in the future
  - c) Tinsley House IRC remains closed as asylum accommodation and neither it nor any other IRC is used for that purpose at any point in the future
  - d) No other sites of a military nature or adjacent to IRCs, including those at Barton Stacey and Yarl's Wood, are opened as asylum accommodation
  
- 2) In relation to asylum system more widely, the government must ensure:
  - a) People seeking asylum are housed in decent, safe accommodation in the community that supports their well-being and recovery from trauma, facilitates their engagement with the asylum process, and allows them to build links with their community
  - b) Key elements of the asylum process, including the substantive interview, are conducted promptly and in an environment that allows disclosure of sensitive information and access to legal and other necessary support
  
- 3) The APPG Inquiry Panel is strongly opposed to the introduction of 'accommodation centres' to house people seeking asylum, as proposed in the Nationality and Borders Bill. In the event that accommodation centres are introduced, however, the government must ensure:
  - a) None of the shortcomings identified in this report are replicated at the new centre(s)
  - b) No centre is opened without the consent of the local authority and meaningful consultation with all relevant stakeholders
  - c) Effective safeguards are in place such that no vulnerable people are accommodated at the centre(s)
  - d) Residents are assured a safe environment that meets a minimum standard of decency,<sup>11</sup> including protection from harassment and abuse
  - e) Residents are assured unimpeded access to healthcare, including mental healthcare
  - f) Residents are assured unimpeded access to legal advice and support, and access to an effective appeals process to challenge their placement in the centre
  - e) Residents are accommodated at the centre(s) for the minimum possible time
  - f) Robust and effective mechanisms are in place to monitor the performance of any private contractors

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<sup>11</sup> An example of what a minimum standard of decency might look like is the Scottish Housing Quality Standard: <https://www.gov.scot/policies/social-housing/improving-standards/>

g) An independent statutory inspection regime is in place.

# Section 1: Background information

## 1.1 Asylum accommodation

Under sections 95 and 98 of the Immigration and Asylum Act 1999, the government has a responsibility to provide accommodation to people seeking asylum in the UK who would otherwise be destitute.<sup>12</sup> This accommodation can include hostels, hotels, flats and houses, and is provided while a person’s asylum claim is being assessed. It must meet certain minimum standards set out in legislation,<sup>13</sup> as well as those detailed in the providers’ contracts.

People may be placed first in ‘initial accommodation’ (short-term, usually in large full-board hostels with shared bedrooms and other facilities) while their eligibility for support is being assessed. If deemed eligible for support, the person will then be moved to ‘dispersal accommodation’ (longer-term, usually in flats or shared houses) where the person will normally stay until their claim is decided.

The government has contracted out the provision of asylum accommodation to a number of private companies.<sup>14</sup> The contracts allow the companies to use hotels, serviced apartments and other forms of accommodation to meet excess demand for initial accommodation.<sup>15</sup> This is known as ‘contingency accommodation’.

There was a very sharp increase in the number of people living in contingency accommodation from March 2020 onwards.<sup>16</sup> In February 2021, the Home Office announced that it was planning to “accelerate” the movement of people seeking asylum out of hotels and into longer-term accommodation.<sup>17</sup>

Once a person’s claim is decided, they will generally cease to be eligible for accommodation and will be required to leave.<sup>18</sup>

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<sup>12</sup> [Immigration and Asylum Act 1999](#) Sections 95 and 98

<sup>13</sup> [Immigration and Asylum Act 1999](#) Section 96, read with European Council Directive 2003/9/EC <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32003L0009>

<sup>14</sup> <https://www.gov.uk/government/news/new-asylum-accommodation-contracts-awarded>

<sup>15</sup> <https://www.nao.org.uk/wp-content/uploads/2020/07/Asylum-accommodation-and-support.pdf>

<sup>16</sup> <https://media.refugeecouncil.org.uk/wp-content/uploads/2021/04/22152856/I-sat-watching-my-life-go-by-my-window-for-so-long-23rd-April-2021.pdf>

<sup>17</sup> <https://www.independent.co.uk/news/uk/home-news/asylum-seeker-hotel-accommodation-home-office-b1806087.html>

<sup>18</sup> In some cases, people who have received a negative decision on their asylum application may continue to be eligible for accommodation under Section 4(2) of the [Immigration and Asylum Act 1999](#).

## 1.2 The development and use of quasi-detention sites

From April 2020, the government began using two new types of sites – former UK military bases and Immigration Removal Centres (IRCs).

The first such site to open in late April 2020 was RAF Coltishall, a former Royal Air Force (RAF) airbase located near the small village of Badersfield in Norfolk. This was followed on 21 September 2020 by both Napier Barracks near Folkestone in Kent and Penally Camp near Tenby in Wales. Notably, on 30 September 2021 – just one week after the opening of Napier and Penally – the Home Secretary published her “comprehensive improvement plan” in response to the Windrush scandal and spoke of her promise to build “a fairer, more compassionate Home Office”.<sup>19</sup>

Plans for additional sites next to Yarl’s Wood IRC and on military land near the village of Barton Stacey in Hampshire surfaced in December 2020, though work on these were subsequently halted. More details about each site are at Sections 1.4 and 1.5.

Additionally, for a period of approximately one month in February 2021, the government reclassified Tinsley House IRC near Gatwick Airport in West Sussex for use instead as asylum accommodation. More details about the site are at Section 3.

RAF Coltishall was eventually closed in February 2021, followed by Penally in March 2021. Tinsley House was returned for use as an IRC.

Napier, however, continues in operation as asylum accommodation, after the government used emergency planning powers in August 2021 to extend its use until at least 2025.<sup>20</sup> The government’s approach to securing the extension was criticised by the House of Lords’ Secondary Legislation Scrutiny Committee. The Committee raised a number of concerns, including the fact that the legislation enabling the extension had been laid while Parliament was in recess and that “insufficient information” had been provided by the government about developments at Napier, thereby limiting Parliament’s ability to scrutinise the change.<sup>21</sup>

The government’s stated justification for its use of such sites has been the additional pressure placed on the asylum accommodation system from the Covid-19 pandemic, as well as a rise in the number of small boat crossings.<sup>22</sup>

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<sup>19</sup> <https://www.gov.uk/government/publications/windrush-lessons-learned-review-response-comprehensive-improvement-plan>

<sup>20</sup> <https://www.legislation.gov.uk/uksi/2021/962/made>

<sup>21</sup> <https://committees.parliament.uk/publications/7347/documents/79400/default/>

<sup>22</sup> <https://questions-statements.parliament.uk/written-questions/detail/2020-09-22/93608>;

The narrative of a system under sudden and unexpected strain should be examined further. Pressure has existed on asylum accommodation for many years prior to the pandemic, often the result of serious failings on the part of the Home Office itself.<sup>23</sup> Additionally, the overall number of asylum applications received by the UK government had decreased at the time ‘quasi-detention’ sites were being established and remain at comparatively low historic levels, despite a recent increase.<sup>24</sup> While arrivals by boat have been higher than in previous years, arrivals by other means such as air travel, have reduced.<sup>25</sup>

An Equality Impact Assessment (EIA) carried out by the Home Office in September 2020 offered greater insight into the reasoning behind the government’s use of Napier and Penally as asylum accommodation. The EIA was not published by the Home Office, but came to light in February 2021 via a Freedom of Information request.<sup>26</sup> It states that people seeking asylum are “not analogous” to British citizens and other permanent residents in need of state welfare assistance.<sup>27</sup> It goes on to say that the placement of asylum seekers in “less generous” accommodation, such as that provided at Napier and Penally, is justified by “the need to control immigration”, and that doing otherwise “could undermine public confidence in the asylum system”.<sup>28</sup> The statements made in the EIA demonstrate that the government’s decision to use Napier and Penally was informed at least as much by political considerations as operational ones.

For many months, the government maintained that its use of such sites was an emergency, temporary measure, necessitated in particular by additional demand for accommodation during the Covid-19 pandemic.<sup>29</sup> However, as noted above, in August 2021 the Home Office extended its use of Napier to at least 2025, while changes laid out in the New Plan for Immigration and the Nationality and Borders Bill include the introduction of ‘accommodation centres’ to house people seeking asylum.<sup>30</sup> Details provided so far about the accommodation centres suggest they will be similar in many ways to the quasi-detention facilities used thus far. Indeed, the Home Secretary has confirmed that Napier may act as a trial for the new accommodation centres, allowing “new

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<sup>23</sup> Problems and failings within the asylum accommodation and support system have been documented by independent inspectors, the National Audit Office, Parliament and charities. See for example: <https://www.gov.uk/government/publications/an-inspection-of-the-home-offices-management-of-asylum-accommodation-provision>; <https://www.nao.org.uk/wp-content/uploads/2020/07/Asylum-accommodation-and-support.pdf>; <https://publications.parliament.uk/pa/cm201617/cmselect/cmhaff/637/637.pdf>; <https://publications.parliament.uk/pa/cm201719/cmselect/cmhaff/1758/1758.pdf>; <https://asylumatters.org/2020/07/03/wake-up-call/>

<sup>24</sup> Asylum applications in the UK peaked in 2002 at 84,132, and have fluctuated since then. The number of applications dropped from 35,737 in 2019 to 29,456 in 2020. See House of Commons Library Research Briefing on Asylum Statistics, September 2021

<https://researchbriefings.files.parliament.uk/documents/SN01403/SN01403.pdf>

<sup>25</sup> <https://researchbriefings.files.parliament.uk/documents/SN01403/SN01403.pdf>

<sup>26</sup> <https://www.refugee-action.org.uk/fires-dont-happen-in-a-vacuum/>

<sup>27</sup> <https://committees.parliament.uk/publications/6218/documents/69028/default/>

<sup>28</sup> <https://committees.parliament.uk/publications/6218/documents/69028/default/>

<sup>29</sup> <https://hansard.parliament.uk/commons/2021-06-10/debates/2CBACD06-7E45-4EB3-8FA3-976D1D4488E6/NapierBarracksAsylumAccommodation>; <https://appgdetention.org.uk/wp-content/uploads/2021/09/2021-08-27-FBIM-to-Alison-Thewliss-MP.pdf?x17597>

<sup>30</sup> See [New Plan for Immigration and Nationality and Borders Bill](#)

processes to be tested and piloted” and informing the centres’ “final design”.<sup>31</sup> In terms of scale, a government tender issued in August 2021 stated that the centres would provide accommodation for “up to c.8,000 service users”.<sup>32</sup>

These developments suggest it is the government’s intention to make large-scale, institutional, quasi-detention facilities – including the site at Napier and the new accommodation centres – into a permanent and widespread feature of the asylum accommodation system.

### 1.3 Findings by independent inspectors and the High Court

At the request of the Independent Chief Inspector of Borders and Immigration (ICIBI), HM Inspector of Prisons (HMIP) conducted inspection visits of both Napier and Penally in mid-February 2021. Initial findings from the visits were published in early March.<sup>33</sup> The Home Office published the full report along with their response to it in late July 2021.<sup>34</sup>

ICIBI / HMIP highlighted many extremely serious concerns at the sites. Some of the key findings included:

- Local stakeholders who needed to set up essential services for residents, such as healthcare, were not consulted in advance of the Home Office taking the decision to proceed and were given insufficient time to prepare.
- The Home Office did not exercise adequate oversight at either site and Home Office staff were rarely present. There were fundamental failures of leadership and planning by the Home Office.
- The resources, skills and assurance systems required to support long-term communal accommodation were inadequate at both sites.
- In September/October 2020, Public Health England had advised the Home Office that opening multi-occupancy dormitory-style accommodation at Napier was not supported by current guidance, and both they and Public Health Wales expressed concerns about the COVID-safety of the accommodation. Both sites were opened before Public Health Wales and Public Health England recommendations had been actioned.
- The site at Napier was not Covid-19 safe and once one person was infected, a large-scale outbreak was inevitable.

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<sup>31</sup> <https://committees.parliament.uk/publications/7159/documents/75641/default/>

<sup>32</sup> <https://www.contractsfinder.service.gov.uk/notice/200ecd04-fc0d-4622-8aeb-ab8f9c126780>

<sup>33</sup> <https://www.gov.uk/government/news/an-inspection-of-the-use-of-contingency-asylum-accommodation-key-findings-from-site-visits-to-penally-camp-and-napier-barracks>

<sup>34</sup> [An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks](#)

- The Crown Premises Fire Safety Inspectorate (CPFSI) had serious concerns about fire safety at Napier that had not been fully addressed at the time of the ICIBI/HMIP inspection visit.
- Home Office communication with residents was poor. Residents did not know how much longer they would be at the sites and this was a major cause of distress. The dearth of official information gave rise to misunderstandings and rumours, which had a negative effect on individuals and the collective mood.
- The lack of privacy, control over their day-to-day lives, activities, and information had a corrosive effect on residents' morale and mental health. All of those who responded to an inspection survey at Napier and the vast majority at Penally said they had felt depressed at some point. At both sites about a third of respondents said they had mental health problems; about a third of respondents at Napier said they had felt suicidal.
- There were serious safeguarding concerns in relation to Napier. There was inadequate support for people who had self-harmed.
- The environment at both sites, especially Napier, was impoverished, run-down and unsuitable for long-term accommodation.
- Cleanliness at both sites was variable at best and cleaning was made difficult by the age of the buildings. Some areas were filthy.
- At both sites, residents described feeling trapped in poor conditions and feared that if they moved out they would jeopardise their only source of support and possibly their asylum cases.<sup>35</sup>

The lawfulness of the Home Secretary's decision to use Napier as asylum accommodation was examined by the High Court in the case of *R (NB & Ors) v Secretary of State for the Home Department* [2021] EWHC 1489 (Admin).<sup>36</sup> The court's judgement was handed down in early June 2021.

A summary of the Court's key findings was submitted to the APPG Inquiry by barrister Shu Shin Luh:

- The dormitory style accommodation, with 24 men to a block, the filthy and unhygienic state of the limited communal toileting facilities, the lack of privacy, and the constant noise and

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<sup>35</sup> Summarised from: <https://www.gov.uk/government/news/an-inspection-of-the-use-of-contingency-asylum-accommodation-key-findings-from-site-visits-to-penally-camp-and-napier-barracks>

<sup>36</sup> *R (NB & Ors) v Secretary of State for the Home Department* [2021] EWHC 1489 (Admin)



commotion in tight communal living quarters contributed significantly to the deterioration in the mental and physical health of residents housed at the barracks.

- In repurposing the barracks for asylum support purposes, the Home Secretary intentionally disregarded, without reason, crucial Public Health England advice against doing so, and failed to even implement the measures she considered necessary for the health and protection of destitute asylum seekers within the barracks.
- The effect of these fundamental failures meant that *“it was virtually inevitable that large numbers of residents would contract Covid-19, a disease which was capable of causing hospitalisation, long-term harm and / or death.”* The Covid-19 outbreak in the Barracks, which ran from mid-January to early March 2021, infected more than 120 residents.
- During the Covid-19 outbreak, the residents who remained in the barracks were prevented from leaving the barracks, were not separated on the basis of whether they tested positive and the mixing of residents exacerbated the outbreak. By restricting the residents’ movement, the Home Secretary also acted unlawfully, in effect imprisoning them.
- The failure to address the serious fire risks identified in the Crown Premises Fire Safety Inspectorate’s report meant that there was no adequate protection in place for asylum seekers against serious risks of fire.
- Despite accepting that the Barracks were not suitable to accommodate vulnerable asylum seekers, the Home Secretary failed fundamentally to put any reasonable system in place that was capable of the most basic inquiries to ensure that no asylum seeker who was vulnerable was allocated to Barracks accommodation.
- The Home Secretary also failed to put in place any reasonable system capable of detecting and promptly removing vulnerable people from the Barracks after allocation.<sup>37</sup>

## 1.4 Details of used and operational sites

### 1.4.1 RAF Coltishall

RAF Coltishall, also known as Jaguar House, is a former RAF airbase located near the small village of Badersfield in Norfolk. The site has been considered previously for use as an Immigration Removal Centre.<sup>38</sup> It was left derelict for many years before being renovated in 2019.

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<sup>37</sup> This summary is taken from [Briefing: summary of Napier Barracks judgement - Shu Shin Luh](#)

<sup>38</sup> <http://news.bbc.co.uk/1/hi/england/norfolk/6331983.stm>

In April 2020, the Home Office moved 77 people seeking asylum into the site.<sup>39</sup> Local stakeholders, including residents and the local council, were neither consulted nor given any advance notice of the Department’s decision.<sup>40</sup> The government stated that the site “would only be used temporarily”.<sup>41</sup> In the event, residents were accommodated at the site until February 2021, when they began to be moved out.<sup>42</sup>

The site was operated by Serco and Cromwood Housing.<sup>43</sup> The Home Office stated that residents had access to “appropriate health care”, though it is not clear how this was provided.<sup>44</sup>

Developments and conditions at the site did not receive as much scrutiny as at other quasi-detention facilities. However, in early 2021 reports emerged of suicide attempts and hunger strikes by residents, and concerns were raised over inadequate access to healthcare, poor communication and a lack of information from the Home Office, the isolating nature of the site given its remote location, and issues with food quality.<sup>45</sup>

### 1.4.2 Napier Barracks

Napier Barracks is a former military barracks located on the outskirts of Folkestone, Kent, and forms part of the larger Shorncliffe Army Camp. The site had previously been used to accommodate serving army personnel for short periods of 1 to 2 weeks.<sup>46</sup>

Napier has the capacity to accommodate 523 people. The Home Office initially reduced this capacity to 431 whilst using it as asylum accommodation, purportedly to allow for social distancing.<sup>47</sup> While the exact number of people at Napier has fluctuated over time, numbers peaked at 414 in November 2020.<sup>48</sup> As at September 2021, the maximum capacity at the site was set at 308.<sup>49</sup>

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<sup>39</sup> <https://www.edp24.co.uk/news/local-council/asylum-seekers-badersfield-complaints-1535662>

<sup>40</sup> <https://www.edp24.co.uk/news/local-council/badersfield-asylum-seekers-arrival-home-office-sorry-1543404>

<sup>41</sup> <https://www.edp24.co.uk/news/local-council/badersfield-asylum-seekers-arrival-home-office-sorry-1543404>

<sup>42</sup> <https://www.edp24.co.uk/news/asylum-seekers-moved-out-of-raf-coltishall-7306804>

<sup>43</sup> <https://www.edp24.co.uk/news/local-council/asylum-seekers-badersfield-complaints-1535662>

<sup>44</sup> <https://www.edp24.co.uk/news/asylum-seekers-being-moved-from-raf-coltishall-6900650>

<sup>45</sup> [https://www.theguardian.com/uk-news/2021/jan/14/asylum-seeker-housing-conditions-under-scrutiny-third-uk-military-site-raf-coltishall-norfolk-;](https://www.theguardian.com/uk-news/2021/jan/14/asylum-seeker-housing-conditions-under-scrutiny-third-uk-military-site-raf-coltishall-norfolk-) <https://www.edp24.co.uk/news/jaguar-house-bladersfield-unsuitable-for-asylum-seekers-6880290>

<sup>46</sup> [An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks](#)

<sup>47</sup> [NB & Ors](#)

<sup>48</sup> [An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks](#)

<sup>49</sup> [Clearsprings Ready Homes – submission on Napier](#)

Residents accommodated at the site thus far have been single males. The Home Office stated in October 2020 that women, children and adult men with vulnerabilities would not be accommodated at the site.<sup>50</sup> However, as demonstrated by evidence submitted to the APPG Inquiry, this has not proved correct and both children and adult men with vulnerabilities have been accommodated Napier (see Section 2.1.4).

The site at Napier is surrounded by an eight foot high perimeter fence, which until mid-2021 was topped by barbed wire.<sup>51</sup> It comprises eight single storey accommodation blocks, most of which are separated into two dormitories that can accommodate up to 14 people each. Each accommodation block has two showers and two toilets, though additional toilets and showers were added in the form of external portacabins in late 2020. There are also a number of administrative buildings on the site, including a dining hall.<sup>52</sup>

Clearsprings Ready Homes (CRH) provides asylum accommodation in the south of England and Wales<sup>53</sup> and sub-contracts out various services at the site:

- Stay Belvedere Hotels Ltd (SBHL) – sub-contracted to CRH to provide on-site services on a 3-month rolling contract
- First Spartan Security Solutions – sub-contracted to SBHL to provide security services on a 3-month rolling contract
- KPI Enterprise – sub-contracted to SBHL to provide catering services on a 3-month rolling contract
- AV Cleaning Services – sub-contracted to SBHL to provide cleaning services on a 3-month rolling contract
- Thornbury Nursing Services – on-site nurse.<sup>54</sup>

The charity Migrant Help is also contracted by the Home Office to provide an advice, signposting and complaint service at the site, both via its telephone helpline and on-site staff.<sup>55</sup>

The government has refused to publish the cost of the contracts for Napier, stating that they are “commercially sensitive”.<sup>56</sup> It was revealed earlier this year that CRH stood to earn up to £1bn

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<sup>50</sup> [https://www.folkestone-hythe.gov.uk/media/3000/Contingency-Asylum-Accommodation-Ministry-of-Defence-Sites-Factsheet/pdf/Contingency\\_Asylum\\_Accommodation\\_Ministry\\_of\\_Defence\\_Sites\\_Factsheet.pdf?m=637381172008830000](https://www.folkestone-hythe.gov.uk/media/3000/Contingency-Asylum-Accommodation-Ministry-of-Defence-Sites-Factsheet/pdf/Contingency_Asylum_Accommodation_Ministry_of_Defence_Sites_Factsheet.pdf?m=637381172008830000)

<sup>51</sup> A respondent told us that the wire was removed following the High Court judgement in *NB & Ors*, which was handed down in early June 2021. See [Anonymous 2 – submission 2](#)

<sup>52</sup> *NB & Ors; Clearsprings Ready Homes – submission on Napier*

<sup>53</sup> <https://www.gov.uk/government/news/new-asylum-accommodation-contracts-awarded>

<sup>54</sup> *Clearsprings Ready Homes – submission on Napier*

<sup>55</sup> <https://www.migranthelpuk.org/news/military-barracks-use>; *Migrant Help - submission on Napier*

<sup>56</sup> <https://questions-statements.parliament.uk/written-questions/detail/2021-02-10/152595>

from the 10-year contracts it holds with the government to provide asylum accommodation and support services, including those at Napier and Penally (see below).<sup>57</sup>

The Home Office's decision to repurpose Napier as asylum accommodation came to light in mid-September 2020.<sup>58</sup> It began using the site as asylum accommodation and moving in the first cohort of residents on 21 September 2020.<sup>59</sup>

Public Health England expressed concerns about Covid-19 safety at the site in September 2020, prior to its opening.<sup>60</sup> In late December 2020, reports began to emerge of a Covid-19 outbreak at the site,<sup>61</sup> and the outbreak was declared on 14 January 2021.<sup>62</sup> Residents were eventually confined to their dormitories and told they could not leave the site under any circumstances.<sup>63</sup> The stress and tension experienced by residents during the lockdown of the site led to a major disturbance in late January when a fire was started in one of the accommodation blocks.<sup>64</sup>

At the time of the outbreak, there were approximately 380 residents accommodated at the site. In total 208 people there were infected with Covid-19.<sup>65</sup> Around 100 residents were moved out of the site in late January 2021, and the site was eventually entirely emptied of its first cohort of residents by early April.

In mid-April, the Home Office began moving into Napier a new, second cohort of residents, despite concerns from the Department of Health and Social Care's Joint Biosecurity Centre that repopulating to full capacity would be a "non-sensical approach" and that the site risked becoming an area of "reoccurring or enduring transmission" for Covid-19.<sup>66</sup> Transfers of people into the site were paused in early June 2021 following the High Court's judgement in *NB & Ors* (see Section 1.3) but resumed again from late July onwards.<sup>67</sup>

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<sup>57</sup> <https://www.theguardian.com/uk-news/2021/feb/03/firm-running-asylum-seeker-barracks-in-kent-stands-to-make-1bn>

<sup>58</sup> <https://www.kentonline.co.uk/folkestone/news/military-barracks-to-house-people-seeking-asylum-233772/>

<sup>59</sup> [An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks](#)

<sup>60</sup> <https://committees.parliament.uk/publications/6173/documents/68896/default/>;  
<https://committees.parliament.uk/publications/6232/documents/69050/default/>

<sup>61</sup> <https://www.kentlive.news/news/kent-news/live-updates-refugees-protest-against-4831746>

<sup>62</sup> [An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks](#)

<sup>63</sup> [Matthew Gold & Co. Solicitors; \*NB & Ors\*](#)

<sup>64</sup> <https://www.independent.co.uk/news/uk/home-news/folkestone-napier-barracks-fire-today-asylum-seekers-b1794848.html>

<sup>65</sup> Initial figures from the Home Office stated that a total of 197 people were infected with Covid-19 during the outbreak at Napier. In evidence to the Home Affairs Committee in July 2021 the Home Secretary provided an updated figure of 208. See

<https://committees.parliament.uk/publications/7154/documents/75616/default/>

<sup>66</sup> <https://www.theguardian.com/uk-news/2021/jun/22/transfers-of-asylum-seekers-to-napier-barracks-suspended>

<sup>67</sup> <https://www.bbc.co.uk/news/uk-england-kent-58186216>

Further Covid-19 cases were reported at Napier in August 2021, and the Home Office confirmed that five people tested positive at the site during that month.<sup>68</sup>

Emergency planning permission to use the site for 12 months was granted in September 2020, and was due to expire in September 2021. As noted at Section 1.2, in August 2021 the Home Secretary used emergency planning powers to extend the permitted use of Napier as asylum accommodation until at least 2025.<sup>69</sup>

### 1.4.3 Penally Camp

Penally Camp is an army training camp, owned by the Ministry of Defence (MOD), near Tenby in Wales. It was used to accommodate serving army personnel until just one week before the Home Office began using it as asylum accommodation.

The site is surrounded by a high fence topped by barbed wire, and has an associated firing range.<sup>70</sup> While used by the Home Office, accommodation at the site comprised 28 blocks with several configurations, varying from one to six people per block. One block with single rooms was used for Covid-19 isolation purposes. Each accommodation block had its own shower and toilet facilities, located in separate buildings to the accommodation blocks.<sup>71</sup>

The maximum capacity under Covid-19 conditions was set at 234 residents. The site was operated by CRH, who in turn sub-contracted out various services:

- Naccs – sub-contracted to CRH to provide on-site services
- AK Security - sub-contracted to SBHL<sup>72</sup> to provide security services
- ESS (as previously contracted by the MOD) - sub-contracted to SBHL to provide catering services
- ESS (as previously contracted by the MOD) - sub-contracted to SBHL to provide Cleaning services.<sup>73</sup>

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<sup>68</sup> <https://www.bbc.co.uk/news/uk-england-kent-58186216>;  
<https://committees.parliament.uk/publications/7349/documents/76790/default/>

<sup>69</sup> <https://www.legislation.gov.uk/uksi/2021/962/made>

<sup>70</sup> <https://www.gov.uk/guidance/defence-infrastructure-organisation-and-the-defence-training-estate>

<sup>71</sup> [Clearsprings Ready Homes – submission on Penally; An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks](#)

<sup>72</sup> This appears to refer to Stay Belvedere Hotels Ltd, who CRH stated provided sub-contracted services at Napier Barracks. Based on CRH's evidence, they appeared to be involved in the running of Penally, though they were not explicitly listed as a sub-contractor. See [Clearsprings Ready Homes – submission on Penally](#).

<sup>73</sup> [Clearsprings Ready Homes – submission on Penally](#)

Migrant Help were also contracted by the Home Office to provide an advice, signposting and complaints service, via their telephone line and on-site staff.<sup>74</sup> The government has refused requests to publish the cost of the contracts at Penally.<sup>75</sup>

Reports that the Home Office was planning to repurpose the site as asylum accommodation emerged in mid-September 2020.<sup>76</sup> Consultation with relevant local stakeholders was limited and took place at short notice.<sup>77</sup> Despite efforts by the Welsh Government to obtain a delay,<sup>78</sup> the Home Office began using the site as asylum accommodation on 21 September 2020.<sup>79</sup>

Penally opened as asylum accommodation in late September. The Home Office stated in October 2020 that women, children and adult men with vulnerabilities would not be accommodated at the site.<sup>80</sup> Evidence laid out in this report however shows that this has not proved correct and that both children and adult men with vulnerabilities were accommodated at Penally (see Section 2.1.4)

While the Home Office stated that the use of Penally was a “temporary arrangement”,<sup>81</sup> in February 2021 it was reported that the department was seeking a 6 month extension to its planning permission for the site.<sup>82</sup> However, a few weeks later the Home Office announced that the site would close.<sup>83</sup> All residents were moved out by 19 March 2021 and the site was handed back to the Ministry of Defence on 13 May 2021.<sup>84</sup>

#### 1.4.4 Tinsley House IRC

Tinsley House is an Immigration Removal Centre (IRC) located near to Gatwick Airport in West Sussex. When operating as an IRC, it has capacity to hold up to 162 detainees, as well as one family with minor children in a dedicated family unit.<sup>85</sup> The site is currently run by Serco.<sup>86</sup>

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<sup>74</sup> <https://www.migranthelpuk.org/news/military-barracks-use>; Migrant Help - submission on Penally

<sup>75</sup> <https://questions-statements.parliament.uk/written-questions/detail/2021-02-10/152595>

<sup>76</sup> <https://www.kentonline.co.uk/folkestone/news/military-barracks-to-house-people-seeking-asylum-233772/>

<sup>77</sup> An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks

<sup>78</sup> <https://gov.wales/written-statement-use-penally-army-training-camp-asylum-seekers>

<sup>79</sup> An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks

<sup>80</sup> [https://www.folkestone-hythe.gov.uk/media/3000/Contingency-Asylum-Accommodation-Ministry-of-Defence-Sites-Factsheet/pdf/Contingency\\_Asylum\\_Accommodation\\_Ministry\\_of\\_Defence\\_Sites\\_Factsheet.pdf?m=637381172008830000](https://www.folkestone-hythe.gov.uk/media/3000/Contingency-Asylum-Accommodation-Ministry-of-Defence-Sites-Factsheet/pdf/Contingency_Asylum_Accommodation_Ministry_of_Defence_Sites_Factsheet.pdf?m=637381172008830000)

<sup>81</sup> <https://www.walesonline.co.uk/news/wales-news/asylum-seekers-penally-tenby-mod-18943853>

<sup>82</sup> <https://www.walesonline.co.uk/news/wales-news/penally-asylum-seekers-camp-run-19813672>

<sup>83</sup> <https://www.walesonline.co.uk/news/wales-news/penally-tenby-asylum-seekers-camp-20186084>

<sup>84</sup> <https://questions-statements.parliament.uk/written-questions/detail/2021-05-17/HL305>

<sup>85</sup> Tinsley House IMB Annual Report 2019

<sup>86</sup> Tinsley House IMB Annual Report 2019

Tinsley House is a purpose-built IRC and has a similar security level as a prison.<sup>87</sup> It has all the features associated with this, including a barbed wire perimeter fence, locked doors and gates, CCTV, opaque windows, and furniture bolted to the floor.<sup>88</sup>

In early 2020, Home Office began using Tinsley House as a Covid-19 quarantine facility for the nearby, larger Brook House IRC.<sup>89</sup> In autumn 2020, the centre began operating as a Short-Term Holding Facility (STHF) to detain people who had arrived at Dover by small boat.<sup>90</sup>

Subsequently, for a period of approximately one month in February 2021, Tinsley House was de-designated as an IRC and used instead as asylum accommodation. The individuals sent to the site were 13 men who had been arrested in connection with the fire at Napier in late January.<sup>91</sup> None of the men were subsequently charged.<sup>92</sup>

## 1.5 Details of halted sites

### 1.5.1 Yarl's Wood IRC

Yarl's Wood is an IRC in rural Bedfordshire. In mid-December 2020, it was reported that the Home Office was planning to construct “pre-fab style” asylum accommodation on land adjacent to the IRC, and that residents would arrive in a matter of weeks.<sup>93</sup>

Subsequent information released by the Home Office confirmed that the site would hold up to 200 single, adult male asylum seekers, and that any individuals with indicators of vulnerability, modern slavery or exploitation, or significant health issues would not be transferred to the site.<sup>94</sup>

Non-governmental organisations and local stakeholders, including faith leaders, local councillors and residents, expressed opposition to the proposal. The concerns they raised included the proximity of the site to a detention centres, the inappropriate nature of the site as accommodation

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<sup>87</sup> [Association of Visitors to Immigration Detainees \(AVID\)](#)

<sup>88</sup> Clare Jennings, Matthew Gold & Co. Solicitors, [Oral evidence session 1 – Part 1](#)

<sup>89</sup> <http://www.aviddetention.org.uk/news-events/news/detention-increasingly-grey-zone>

<sup>90</sup> <http://www.aviddetention.org.uk/news-events/news/detention-increasingly-grey-zone>;  
[https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/10/Dover-detention-facilities-web-2020\\_v2.pdf](https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/10/Dover-detention-facilities-web-2020_v2.pdf)

<sup>91</sup> Clare Jennings, Matthew Gold & Co. Solicitors, [Oral evidence session 1 – Part 1](#); [Jesuit Refugee Service UK \(JRS UK\)](#); [Bail for Immigration Detainees \(BID\)](#)

<sup>92</sup> [Jesuit Refugee Service UK \(JRS UK\)](#)

<sup>93</sup> <https://hansard.parliament.uk/commons/2020-12-16/debates/06EA3DD8-026C-4AAF-BCBA-60F1B5D2E3F6/ImmigrationRulesSupportedAccommodation>

<sup>94</sup> <https://miltonernest-pc.gov.uk/wp-content/uploads/2021/01/20200108-Contingency-Asylum-Accommodation-Stakeholder-briefing-pack-Yarls-Wood-.pdf>

for people with histories of trauma, and a lack of information about what services would be provided for residents.<sup>95</sup>

Work began on the site in December and portacabins were moved in.<sup>96</sup> After two months however, the government abruptly announced that it was halting work on the site as it was no longer needed.<sup>97</sup> The announcement came one day before a claim for judicial review to challenge the lawfulness of the Home Office’s plans was due to begin.<sup>98</sup>

It has subsequently emerged that over £3m was paid to construction company Wernick Building Ltd to erect portacabins which remained unused at the site for over three months.<sup>99</sup>

### 1.5.2 Barton Stacey

The Ministry of Defence owns land near the small village of Barton Stacey in Hampshire. In early December 2020, it was reported that the Home Office was planning to construct cabin-style accommodation for up to 500 people seeking asylum.<sup>100</sup>

The Home Office confirmed the plans in mid-January, stating that the site would be used to house “single, adult male asylum seekers” only, and that those with “indicators of vulnerability, modern slavery or exploitation, or significant health issues” would not be transferred to the site.<sup>101</sup> They also confirmed that emergency planning powers would be used to make the site operational.<sup>102</sup>

Significant concerns were raised about the proposal by local stakeholders including former Immigration Minister and local MP Caroline Nokes. These included the fact that the accommodation would be located next to a Ministry of Defence firing range and shooting school,

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<sup>95</sup> <https://www.bbc.co.uk/news/uk-england-beds-bucks-herts-55846266>;

<https://www.bedfordtoday.co.uk/news/people/bedford-mp-mayor-and-councillors-appalled-yarls-wood-plans-house-male-asylum-seekers-3075987>

<sup>96</sup> <https://www.independent.co.uk/news/uk/home-news/home-office-yarls-wood-camp-asylum-priti-patel-b1934294.html>

<sup>97</sup> <https://www.independent.co.uk/news/uk/home-news/home-office-yarls-wood-asylum-accommodation-b1799758.html>; <https://www.theguardian.com/uk-news/2021/feb/09/home-office-abandons-plans-for-camp-at-yarls-wood-immigration-removal-centre>

<sup>98</sup> <https://www.independent.co.uk/news/uk/home-news/home-office-yarls-wood-asylum-accommodation-b1799758.html>

<sup>99</sup> <https://www.independent.co.uk/news/uk/home-news/home-office-yarls-wood-camp-asylum-priti-patel-b1934294.html>

<sup>100</sup> <https://www.hampshirechronicle.co.uk/news/18926045.asylum-seeker-site-proposed-edge-barton-stacey/>

<sup>101</sup> <https://miltonernest-pc.gov.uk/wp-content/uploads/2021/01/20200108-Contingency-Asylum-Accommodation-Stakeholder-briefing-pack-Yarls-Wood-.pdf>

<sup>102</sup> <https://questions-statements.parliament.uk/written-questions/detail/2020-12-30/HL11693>



had poor access to running water, and that residents would have difficulty in accessing services and activities given the remote location of the site.<sup>103</sup>

In late April 2021, the government announced that it had halted its plans to use the site.<sup>104</sup>

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<sup>103</sup> <https://hansard.parliament.uk/commons/2021-04-27/debates/A3F6363E-6A0C-4B20-9308-C4A8253497E0/SupportForAsylumSeekers>; <https://www.theguardian.com/uk-news/2020/dec/09/planned-asylum-seeker-site-hampshire-village-open-prison-barton-stacey>

<sup>104</sup> <https://www.hampshirechronicle.co.uk/news/19268679.barton-stacey-plans-build-asylum-seeker-camp-dropped/>

## Section 2: Evidence presented – Napier Barracks and Penally Camp

### 2.1 Vulnerability and safeguarding of residents

#### 2.1.1 Home Office suitability criteria

Safeguards are rules and procedures put in place to prevent harm and abuse of people under the care of authorities. The lack of effective safeguards at Napier and Penally was a key concern in the evidence submitted to the APPG Inquiry.

One of the Home Office’s purported main safeguards is its ‘suitability criteria’, as laid out in the Allocation of Accommodation Policy.<sup>105</sup> The criteria are used to decide whom to accommodate at Napier or similar accommodation; they were also used to decide whom to accommodate at Penally.<sup>106</sup>

The criteria specify certain categories of people deemed “not suitable” to be accommodated at the sites due to their vulnerability. Such people include women and children, as well as men who are potential victims of trafficking, torture, sexual violence or other serious forms of violence, are disabled or have complex health needs.<sup>107</sup> The criteria are used to assess a person’s initial suitability for accommodation at the sites (i.e. at the point of transfer in) as well as their ongoing suitability (i.e. once they are already accommodated there).

Respondents questioned the effectiveness of the suitability criteria process. The Home Office uses various sources to assess whether someone falls into a “not suitable” category: this includes information a person provides in their asylum screening interview<sup>108</sup>, and their Asylum Support Application Form (ASF1).<sup>109</sup> However, respondents pointed out the information in these sources could be incomplete or inaccurate for a number of reasons. People might complete the screening interview or ASF1 without understanding how the system works or even that their particular experiences or symptoms may fall within the Home Office’s definition of vulnerability.<sup>110</sup> They might also struggle to talk about relevant experiences given their traumatic nature. It is worth

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<sup>105</sup> <https://www.gov.uk/government/publications/asylum-accommodation-requests-policy>

<sup>106</sup> [Clearsprings Ready Homes – submission on Penally](#)

<sup>107</sup> For the full list of the categories, see: <https://www.gov.uk/government/publications/asylum-accommodation-requests-policy>

<sup>108</sup> The asylum screening interview is a relatively short initial interview conducted by the Home Office after a person has claimed asylum, in which they are asked brief questions about their background and family, their journey to the UK and why they are claiming asylum.

<sup>109</sup> The ASF1 is a form used to apply for asylum support from the Home Office. See <https://www.gov.uk/government/publications/application-for-asylum-support-form-asf1>

<sup>110</sup> [Freedom from Torture](#)

noting too that neither of these sources is specifically designed to elicit information relevant to a person’s suitability for accommodation at the sites.<sup>111</sup> The screening interview, for example, does not include any questions about a person’s history of torture.

Even where the Home Office had gathered information indicating that a person falls into an ‘unsuitable’ category, this information might not be noticed or acted upon when deciding whether they can be accommodated at the site. JRS UK for example had encountered residents at Napier whose asylum screening interviews had revealed clear indicators of trafficking, yet the individuals had still been transferred to the site.<sup>112</sup> They had also encountered an unaccompanied asylum seeking child at Napier who “had explained to the Home Office that he was under 18, but [was] apparently... disbelieved”.<sup>113</sup> The child was eventually transferred out of the site following a legal intervention.

The Humans for Rights Network were aware of four age-disputed children accommodated at Napier since April 2021; two had consistently alerted staff to the fact that they were minors, but no action had been taken to move them out.<sup>114</sup> Staff from the organisation had met one of the children after he had been at the site for one month, and described him as being “very distressed”.<sup>115</sup>

Another concern was that, once a person was accommodated at the site, there did not appear to be any mechanism through which the Home Office or its contracted on-site providers proactively identified vulnerabilities - either those previously missed, or those which had developed since arrival at the site (e.g. as a result of a deterioration in a person’s mental health).<sup>116</sup> The Royal College of Psychiatrists pointed out for example that there was no dedicated mental health screening of residents.<sup>117</sup> The APPG Inquiry asked CRH what it did to ensure its own staff and those of sub-contractors were aware of and could apply the suitability criteria; CRH reported that all staff had “read” the criteria and “understood” that if they had any questions or concerns regarding a resident’s suitability, they should inform the site manager.<sup>118</sup> It is not clear, however, that simply reading the criteria would mean that a staff member could apply them correctly or know when onward referrals were necessary.

The Home Office’s approach relied on residents themselves being aware of the suitability criteria and drawing the attention of on-site staff to their vulnerability.<sup>119</sup> As discussed at Section 2.1.1,

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<sup>111</sup> [Matthew Gold & Co. Solicitors](#)

<sup>112</sup> [Jesuit Refugee Service UK \(JRS UK\)](#)

<sup>113</sup> [Jesuit Refugee Service UK \(JRS UK\)](#)

<sup>114</sup> Maddie Harris, Humans for Rights, [Oral evidence session 3](#)

<sup>115</sup> Maddie Harris, Humans for Rights, [Oral evidence session 3](#)

<sup>116</sup> Dr Jill O’Leary, Helen Bamber Foundation (HBF), [Oral evidence session 1 – Part 2](#); Sue Willman, Deighton Pierce Glynn, [Oral evidence session 1 – Part 1](#)

<sup>117</sup> [Royal College of Psychiatrists](#)

<sup>118</sup> [Clearsprings Ready Homes - submission on Napier](#); [Clearsprings Ready Homes - submission on Penally](#)

<sup>119</sup> Dr Jill O’Leary, Helen Bamber Foundation (HBF), [Oral evidence session 1 – Part 2](#); Dr Sophie Cartwright, Jesuit Refugee Service UK (JRS UK), [Oral evidence session 3](#)

people seeking asylum may struggle to identify themselves as vulnerable or to advocate on their own behalf for many reasons. This suggests that the Home Office’s approach, which places the burden of identifying individuals’ vulnerability onto the individuals themselves, is both inappropriate and unrealistic.

At a more fundamental level, respondents questioned the reliability of any mechanism, including the suitability criteria, that purports to ‘screen out’ vulnerability. Accurately screening for vulnerabilities is difficult for a number of reasons: trauma symptoms can affect people’s behaviour in such a way that they avoid recalling traumatic memories, minimise their symptoms, or struggle to trust and disclose information to figures of authority.<sup>120</sup> Personal or cultural attitudes can also affect people’s willingness to self-identify as vulnerable, for example suffering from a mental health condition.<sup>121</sup> Indeed, it is often the most severely vulnerable individuals who are the quietest and least able to speak up, suggesting that they would be those most likely to be missed in any screening process.<sup>122</sup>

Moreover, research shows that asylum seekers are an inherently vulnerable group, a result of the trauma and other challenges they experience, both in their home country, during their journey, and upon arrival in a host country.<sup>123</sup> Asylum seekers experience consistently higher rates of mental health disorders and psychological distress than the general population for example, with Post-Traumatic Stress Disorder (PTSD) the most frequently recognised mental health condition amongst the group, and the prevalence of other mental health conditions such as depression and anxiety disorders also markedly increased.<sup>124</sup> The basic premise that it is possible to separate ‘vulnerable’ asylum seekers from ‘non-vulnerable’ asylum seekers is therefore problematic.

Concerns about the effectiveness of the suitability criteria process had been raised earlier by the Independent Chief Inspector of Borders and Immigration (ICIBI),<sup>125</sup> HM Inspector of Prisons (HMIP),<sup>126</sup> and the High Court.<sup>127</sup> In its judgement in *NB & Ors*, the High Court found that, if Napier were to continue to be used by the government as asylum accommodation, there needed to be

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<sup>120</sup> [Helen Bamber Foundation \(HBF\) – submission 2](#)

<sup>121</sup> [Helen Bamber Foundation \(HBF\) – submission 2](#)

<sup>122</sup> [Helen Bamber Foundation \(HBF\) – submission 2](#)

<sup>123</sup> Whilst in their home country, these challenges may include exposure to war, torture, exploitation, or other forms of serious violence and abuse; poor healthcare infrastructure; the epidemiology of infectious diseases and reduced or absent vaccination programmes; and a lack of food security and nutrition. During their journey, asylum seekers’ lack of access to healthcare and adequate nutrition is likely to be repeated and intensified, and they may be exposed to further violence and abuse, including at the hands of traffickers. Once in a host country (e.g. the UK), asylum seekers often continue to face problems, such as limited access to healthcare and/or overcrowded, unsanitary accommodation, that can exacerbate or create additional vulnerabilities. See Dr Juliet Cohen, Freedom from Torture, [Oral evidence session 1 – Part 2](#); [Helen Bamber Foundation \(HBF\) – submission 1](#); [Royal College of Psychiatrists](#)

<sup>124</sup> [Helen Bamber Foundation \(HBF\) – submission 1](#)

<sup>125</sup> See Annex Annex A – Letter from David Bolt to the Home Office, 21 March 2021 in [An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks](#)

<sup>126</sup> [An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks](#)

<sup>127</sup> [NB & Ors](#)

“a better system for identifying those for whom such accommodation is not suitable and for detecting cases where, although suitable when initially transferred, it ceases to be during the course of their stay”.<sup>128</sup>

Evidence submitted to the APPG Inquiry suggested that the Home Office had not yet made any improvements to the system. For example, at the time of submitting written evidence in late June 2021, JRS UK reported that they were supporting two victims of trafficking at Napier, illustrating that people who clearly did not meet the suitability criteria were still being housed there.<sup>129</sup>

### 2.1.2 Additional safeguarding concerns

CRH told the APPG Inquiry that it considered all residents at Napier and Penally to be vulnerable, and that all CRH staff and sub-contractor staff had a contractual duty to report any safeguarding concerns to the CRH safeguarding team, and to co-operate in any subsequent referral and/or investigation.<sup>130</sup>

CRH noted that its on-site staff carried out “welfare checks” of residents.<sup>131</sup> For those who had been identified as age-disputed or had been returned to the site after a psychiatric emergency (e.g. self-harm or suicide attempt), such checks would be hourly. From the information provided by CRH, however, it was not clear how often individuals who did not fall into the above mentioned two categories would receive a check.

Erfan<sup>132</sup>, a former resident at Napier, questioned whether the staff conducting welfare checks had the necessary expertise, describing them as “inexperienced” in dealing with vulnerable people, and pointing out that they “weren’t therapists, psychologists or social worker[s]”.<sup>133</sup> The Helen Bamber Foundation (HBF) also expressed concern about the ability of staff to identify people who were facing mental health problems, since such problems might not be obvious or be deliberately hidden.<sup>134</sup>

CRH told the APPG Inquiry that all CRH and Stay Belvedere Homes Ltd (a subcontractor) staff received “Level 2” safeguarding of adults and children training at the start of their employment. They did not state when this policy had been introduced. One respondent questioned whether “Level 2” training was sufficient, given the degree of vulnerability present amongst residents.<sup>135</sup> According to the Humans for Rights Network, it was only in May 2021 that the Home Office stated

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<sup>128</sup> [NB & Ors](#)

<sup>129</sup> [Jesuit Refugee Service UK \(JRS UK\)](#)

<sup>130</sup> [Clearsprings Ready Homes – submission on Napier](#); [Clearsprings Ready Homes – submission on Penally](#)

<sup>131</sup> [Clearsprings Ready Homes – submission on Napier](#); [Clearsprings Ready Homes – submission on Penally](#)

<sup>132</sup> Surname removed to protect individual’s identity

<sup>133</sup> Erfan, [Oral evidence session 2 – Part 1](#)

<sup>134</sup> [Helen Bamber Foundation \(HBF\) – submission 2](#)

<sup>135</sup> [Anonymous 2 – submission 2](#)

that all staff at Napier now had safeguarding training.<sup>136</sup> This suggests there were many months during which people seeking asylum were accommodated at the site but on-site staff lacked safeguarding expertise.

Many respondents also drew comparisons between the safeguarding situation at Napier and Penally, and that in immigration detention.<sup>137</sup> Though the sites replicated many of the features and impacts of immigration detention, they lacked the safeguards that existed in those settings. Such safeguards include a health screening within two hours of arrival at the centre, assessment by a GP within 24 hours, a duty placed on the GP at the centre to report to the Home Office about specific indicators of vulnerability amongst detainees (Rule 35), schemes providing on-site access to legal advice, the immigration bail process and others. Respondents emphasised that the safeguards in immigration detention were inadequate and often not applied effectively, but pointed out that they did at least afford a degree of protection not granted to those at Napier, Penally and other similar sites.

### 2.1.3 Reliance on legal interventions

Respondents told the APPG Inquiry that the main mechanism for residents to be transferred out of Napier was a pre-action protocol (PAP) letter, the first step in a judicial review case.<sup>138</sup> At the time of giving evidence in early July 2021, HBF were aware that 65 of the 280 residents transferred to Napier since April 2021 had been moved out following PAP letters.<sup>139</sup>

There was concern amongst respondents that, in the absence of effective safeguarding mechanisms, the Home Office appeared to be relying on lawyers and legal interventions to identify vulnerable people and ensure they were transferred out.<sup>140</sup> This was particularly problematic given the inadequate access to legal support documented at the sites (see Section 2.5.2). The Immigration Law Practitioners' Association (ILPA) were especially concerned about residents who were unable to articulate their unsuitability to the Home Office themselves, and did not have access to legal representation.<sup>141</sup>

### 2.1.4 Vulnerable people accommodated at the sites

The result of the failings in safeguarding was that vulnerable people had been, and continued to be, accommodated at the sites.

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<sup>136</sup> Maddie Harris, Humans for Rights Network, [Oral evidence session 3](#)

<sup>137</sup> [Bail for Immigration Detainees \(BID\)](#); [Medical Justice](#); [Jesuit Refugee Service UK \(JRS UK\)](#); Dr Piyal Sen, Royal College of Psychiatrists, [Oral evidence session 1 – Part 2](#)

<sup>138</sup> [Matthew Gold & Co. Solicitors](#); Maddie Harris, Humans for Rights Network, [Oral evidence session 3](#); Dr Sophie Cartwright, Jesuit Refugee Service UK (JRS UK), [Oral evidence session 3](#)

<sup>139</sup> Dr Jill O'Leary, Helen Bamber Foundation (HBF), [Oral evidence session 1 – Part 2](#)

<sup>140</sup> Maddie Harris, Humans for Rights, [Oral evidence session 3](#); Claire Jennings, Matthew Gold & Co. Solicitors, [Oral evidence session 1 – Part 1](#)

<sup>141</sup> Sonia Lenegan, ILPA, [Oral evidence session 1 – Part 1](#)

CRH told the APPG Inquiry that since opening, seven aged-disputed children had been recorded as being accommodated at Napier, and one at Penally. These figures are extremely concerning, yet evidence from other respondents suggests they may be an underestimate. For example, in May 2021, a child, who arrived at Napier in the second cohort and was subsequently moved out, reported to the Human for Rights Network that there were between five and seven other age-disputed children at the site while he was there. The boy explained that staff on-site were aware they were age-disputed because many were told to sleep in a specific area of one dormitory and one was offered a private room by staff in the camp.<sup>142</sup> Given that HMIP reported finding age-disputed children on-site during their inspection of Napier in February 2021, and also that “managers did not maintain a record of the treatment of residents who said they were children”,<sup>143</sup> it seems likely that the actual number of age-disputed children accommodated at the site was higher.

Evidence submitted highlighted how people who were self-harming or suicidal were also accommodated at the sites. Residents in the first cohort at Napier described witnessing three suicide attempts at the site during their time there. For Milad<sup>144</sup>, this included a resident in his own block who “cut his hands and he was in very bad condition and it was in the middle of the night... [There was] a lot of blood”.<sup>145</sup> HBF and Doctors of the World (DOTW) found residents at Napier suffering from, or displaying symptoms consistent with suicidality,<sup>146</sup> and Medical Justice found the same amongst former Napier residents who were placed at Tinsley House IRC (see Section 3.2).<sup>147</sup>

There also appeared to be problems in the way self-harm and suicidality amongst residents was being monitored and recorded at the site. When asked how many incidents of self-harm or suicide attempts had occurred at Napier, CRH told the APPG Inquiry that as of September 2021, there had been nine incidents of self-harm, but did not mention any suicide attempts. However, as noted above, residents reported witnessing suicide attempts, and in its inspection report HMIP described an incident where a resident had tried to hang himself.<sup>148</sup> Likewise, at Penally, CRH stated that there had been no reported incidents of self-harm and one suicide attempt. In contrast, the Welsh Refugee Council, who supported over 70 of the residents at Penally, told the APPG Inquiry that there were “frequent reports of self-harm” at the site.<sup>149</sup>

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<sup>142</sup> Maddie Harris, Humans for Rights Network, [Oral evidence session 3](#). CRH confirmed in their evidence to the Inquiry that if a resident at Napier disclosed they were a child, they would be offered an individual room. See [Clearsprings Ready Homes - submission on Napier](#).

<sup>143</sup> [An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks](#)

<sup>144</sup> Surname removed to protect individual’s identity

<sup>145</sup> Milad, [Oral evidence session 2 – Part 1](#)

<sup>146</sup> Dr Jill O’Leary, Helen Bamber Foundation (HBF), [Oral evidence session 1 – Part 2; Doctors of the World \(DOTW\)](#)

<sup>147</sup> [Medical Justice](#)

<sup>148</sup> [An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks](#)

<sup>149</sup> [Welsh Refugee Council](#)

Respondents were also aware of people with other serious mental health conditions, and victims of torture, trafficking and other abuse being accommodated at the sites. Deighton Pierce Glynn, a legal firm who represented residents at Napier, told the APPG Inquiry that one of their clients “had actually been recorded by the Home Office as having experienced torture in Sudan, and he had torture scars. But by mistake he was still sent to Napier”.<sup>150</sup> HBF and DOTW found residents at Napier suffering from, or displaying symptoms consistent with suicidality, PTSD, depression and anxiety,<sup>151</sup> with some displaying symptoms indicative of more than one of these diagnoses at the same time.<sup>152</sup> Medical Justice doctors assessed a number of former Napier residents while they were placed at Tinsley House IRC (see Section 3.2) and found “serious mental health issues” amongst them, including suicidality, depression, and PTSD. Some were also victims of torture.<sup>153</sup>

Matthew Gold & Co. Solicitors, who represented residents at Napier, stated that all its clients at the site had underlying vulnerabilities, including having experienced arbitrary detention, torture and other forms of serious physical violence; and being potential victims of trafficking or modern slavery.<sup>154</sup> The Welsh Refugee Council said that many residents they supported at Penally reported experiencing symptoms associated with PTSD, including night terrors, panic attacks, anxiety, and emotional outbursts, and that some had experienced arbitrary detention prior to their journey to the UK.<sup>155</sup>

The Royal College of Psychiatrists was clear that “(q)uasi-detention jeopardises the mental health of vulnerable people and is therefore unsuitable for asylum-seekers”.<sup>156</sup> Where residents had pre-existing mental health conditions, these could be exacerbated by being accommodated at Napier or Penally. This was because the sites were reminiscent of sites where they had previously experienced trauma or abuse - in particular for those who had been tortured or imprisoned in military or similar settings (see also Sections 2.2.2 and 2.2.8).<sup>157</sup>

The sites could also generate new mental health vulnerabilities amongst those who had not previously experienced them.<sup>158</sup> Medical Justice shared an example: a former resident at Napier with no previous history of mental health problems who described developing suicidal thoughts for the first time whilst accommodated at the site.<sup>159</sup> Likewise, Kenan, a former resident at Penally, spoke to the APPG Inquiry Panel about his own experience:

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<sup>150</sup> Sue Willman, Deighton Pierce Glynn, [Oral evidence session 1 – Part 1](#)

<sup>151</sup> Dr Jill O’Leary, Helen Bamber Foundation (HBF), [Oral evidence session 1 – Part 2](#); [Doctors of the World \(DOTW\)](#)

<sup>152</sup> Dr Jill O’Leary, Helen Bamber Foundation (HBF), [Oral evidence session 1 – Part 2](#)

<sup>153</sup> [Medical Justice](#)

<sup>154</sup> [Matthew Gold & Co. Solicitors](#)

<sup>155</sup> [Welsh Refugee Council](#)

<sup>156</sup> [Royal College of Psychiatrists](#)

<sup>157</sup> [Medical Justice](#); [Helen Bamber Foundation \(HBF\) – submission 2](#)

<sup>158</sup> [Royal College of Psychiatrists](#)

<sup>159</sup> [Medical Justice](#)



“Living at that camp had a very negative impact on me. Before living at the camp, my mental health was fine. However, I quickly become depressed as a result of the conditions within the camp. I began to lose my hope that the situation would change. I felt abandoned and did not understand why I had been chosen to live in those dire conditions...

“It would be difficult to design a system that more perfectly delivers despair and deteriorating human health and mental capacity than these asylum camps.”<sup>160</sup>

Some residents continued to feel the negative mental health impacts of being accommodated at Napier or Penally even after they were transferred out of the sites. A respondent working with residents at Napier reported the case of an “underage person” at the site who “attempted suicide immediately after being transferred out to a hotel”.<sup>161</sup> Likewise, former Napier resident Erfan reported:

“I’m still in contact with some former residents and they keep telling me that how being in Napier affected their mental health. They are outside, they were moved out. But they are still suffering from the consequences of the camp. I used to consider myself as a completely healthy person, both physically and mentally. But after being in Napier, I myself am dealing with insomnia and anxiety”.<sup>162</sup>

The Home Secretary has said it is an “insult” to suggest that Napier is not adequate accommodation for asylum seekers when it has previously been used to house UK military personnel.<sup>163</sup> Respondents to the APPG Inquiry disagreed with this position. They pointed out that the level of vulnerability and needs of people seeking asylum were very different to those of soldiers; as a result, accommodation that was deemed acceptable for the latter may be entirely unsuitable for the former.<sup>164</sup> As the Royal College of Psychiatrists emphasised:

“Spartan and regimented accommodation may be deemed useful in the context of military training – which is provided to individuals who have made the choice to undertake the training. These arguments do not apply to the suitability of such accommodation for people who have escaped their country of origin (and may have experienced persecution and/or imprisonment), have undergone hazardous journeys and are in the process of seeking protection”.<sup>165</sup>

This was echoed by former Napier resident Milad<sup>166</sup>, who explained:

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<sup>160</sup> Kenan, [Oral evidence session 2 – Part 1](#)

<sup>161</sup> [Anonymous 2 – submission 2](#)

<sup>162</sup> Erfan, [Oral evidence session 2 – Part 1](#)

<sup>163</sup> See <https://twitter.com/pritipatel/status/1355207920091344897>

<sup>164</sup> [Royal College of Psychiatrists](#); Dr Juliet Cohen, [Freedom from Torture – Oral evidence session 1 – Part 2](#); Dr Jill O’Leary, [Helen Bamber Foundation, Oral evidence session 1 – Part 2](#)

<sup>165</sup> [Royal College of Psychiatrists](#)

<sup>166</sup> Surname removed to protect individual’s identity

“You should have it in mind that the soldiers should be prepared for battles or war or hard times. But we, the asylum seekers, were just running away from these things”.<sup>167</sup>

## 2.2 Physical conditions

### *Napier*

#### 2.2.1 Geographical and social isolation

Geographically Napier is in a relatively isolated location, situated on the outskirts of Folkestone. While the town centre could be accessed by bus from the site, meeting the cost of the journey was difficult for residents, who received only £8 per week in financial assistance.<sup>168</sup>

Other features of the site served to socially isolate residents. These included restrictions on freedom of movement (see Section 2.3.2), harassment and abuse received from people outside the site making residents uncomfortable to leave (see Section 2.3.4), poor wi-fi connectivity, lack of money to buy mobile phone credit/data, and limits on visitors into the site.<sup>169</sup>

The isolating nature of the site negatively affected residents’ mental health. HBF explained that, when accommodated normally in the community, asylum seekers are able to rely on the knowledge of others around them to understand ‘the ways things work’ in the UK. Residents at Napier were cut off from such networks and knowledge however, and this risked “increasing paranoia, fear and distrust of figures of authority... and further reducing help-seeking and self-care/identification behaviours (which can already be impaired significantly by trauma)”.<sup>170</sup>

Being separated from the wider community also amplified residents’ sense of ‘otherness’, which was further exacerbated by the hostility they received when leaving the camp, and the stigma associated with being identifiable as an asylum seeker.<sup>171</sup> The isolation also made it more difficult for residents to access key forms of support, such as legal advice or specialist mental health services, compared to asylum seekers accommodated in the community. It also had a negative impact on community relations by ‘ghettoising’ residents and making it harder for members of the local community to get to know and form bonds with them.<sup>172</sup>

The sense of isolation at the site was confirmed by residents. Former resident Erfan told the APPG Inquiry that being accommodated at Napier had made him feel “isolated from the rest of

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<sup>167</sup> Milad, [Oral evidence session 2 – Part 1](#)

<sup>168</sup> Clare Jennings, Matthew Gold & Co. Solicitors, [Oral evidence session 1 – Part 1](#)

<sup>169</sup> [Freedom from Torture; Jesuit Refugee Service UK \(JRS UK\)](#)

<sup>170</sup> [Helen Bamber Foundation \(HBF\) – submission 2](#)

<sup>171</sup> [Jesuit Refugee Service UK \(JRS UK\)](#)

<sup>172</sup> Dr Sophie Cartwright, Jesuit Refugee Service UK (JRS UK), [Oral evidence session 3](#)

the world or the rest of the United Kingdom”.<sup>173</sup> Likewise Andreas<sup>174</sup>, who was still accommodated at Napier when he gave evidence, said:

“You think this is the last resort, the last place of safety [and] you wish to be accepted... But it doesn't feel like you belong here. It's very disappointing to find yourself in this place, in this country, treated in this way”.<sup>175</sup>

### 2.2.2 Prison-like / military setting

Many respondents pointed out how features of the site at Napier made it feel prison-like.<sup>176</sup> Former Napier resident Erfan explained:

“[Napier] was totally like a prison, with barbed wire fences and security guards and your movements always under their observation. Your time of going out [and] coming in is always recorded and you always feel that you're under control”.<sup>177</sup>

Respondents emphasised that, for individuals who had experienced previous trauma - such as being detained and tortured, or controlled by traffickers – being placed in such a setting can be very triggering and in some cases may lead to re-traumatisation. Former Napier resident Victor<sup>178</sup> told the APPG Inquiry Panel of his own experience:

“When I arrived, the fear completely overwhelmed me. The design of the camp was oppressive, the high fences, the sheer numbers of people, the security who... looked like they were from the military. It was terrifying and I could feel it through my whole body. It reminded me of the military camps in [my home country]. I was in complete shock for the first few days. I did not sleep at all and I did not eat... I did not speak to anyone. I was in shock. My body was in shock. It reminded me of [my home country] and I could not function”.<sup>179</sup>

Similarly Oscar<sup>180</sup>, who was still at the site when he provided his testimony to the APPG Inquiry, said:

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<sup>173</sup> Erfan, [Oral evidence session 2 – Part 1](#)

<sup>174</sup> Name changed to protect the individual's identity

<sup>175</sup> Andreas, [Oral evidence session 2 – Part 2](#)

<sup>176</sup> [Helen Bamber Foundation \(HBF\) – submission 2; Freedom from Torture; Matthew Gold & Co. Solicitors; Medical Justice; Quaker Asylum and Refugee Network \(QARN\); Jesuit Refugee Service UK \(JRS UK\)](#)

<sup>177</sup> Erfan, [Oral evidence session 2 – Part 1](#)

<sup>178</sup> Name changed to protect the individual's identity

<sup>179</sup> Victor, [Oral evidence session 2 – Part 2](#)

<sup>180</sup> Name changed to protect the individual's identity

“When I look at the fences, it affects me more. The fences and the camp look as bad as my life. It all sums up my life. I fear everything. I try not to talk to people, I am in constant fear and I know I have to be here as this is my only place but I do not feel well here.”<sup>181</sup>

DOTW also provided a number of relevant case studies of Napier residents whom their doctors had assessed:

“J fled his home country to escape forced conscription. On his way to the UK, he was imprisoned and badly beaten... The camp is practically nearly all he knows of the UK, where he came to seek refuge. He says it feels like a prison, and he has lost hope. He hates himself for coming to the UK. He says that he does not understand why he is being treated like a criminal.”

“Since being in the camp, P is experiencing flashbacks of previous trauma he endured in his home country. He recognises that his mental health is deteriorating, but he feels powerless to do anything about it.”

“Andrew fled his home country after experiencing persecution, ill-treatment, and imprisonment ... Andrew’s depression has worsened since his arrival at [Napier]. He cannot sleep due to feelings of anxiety... He has developed a hatred of himself and has lost hope. He says he has always been living in difficult situations but until now has always had hope. He describes [Napier] as like living in a prison. He has had thoughts that he would be better off dead; when lying on his bed he admitted to thoughts of hanging himself from the roof or if there was a way to get medication to take an overdose”.<sup>182</sup>

Various respondents pointed out that the mental health impacts experienced by residents in quasi-detention sites are similar to those experienced by people held in immigration detention.<sup>183</sup> JRS UK, for example, described “spiralling mental health” among residents at Napier that echoed patterns of mental health deterioration seen by their Detention Outreach Team amongst immigration detainees.<sup>184</sup> They explained this ‘spiralling’ in more detail:

"It's typical perhaps that you meet someone [for the] first time just after they've arrived at Napier and maybe they're nervous, but they might be outgoing and able to engage with you. And, as the weeks pass, you see them withdraw and become less able to engage with the world".<sup>185</sup>

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<sup>181</sup> Oscar, [Oral evidence session 2 – Part 2](#)

<sup>182</sup> [Doctors of the World \(DOTW\)](#)

<sup>183</sup> [Royal College of Psychiatrists](#); [Medical Justice](#); [Association of Visitors to Immigration Detainees \(AVID\)](#); [Jesuit Refugee Service UK \(JRS UK\)](#); [Allies for Justice](#)

<sup>184</sup> [Jesuit Refugee Service UK \(JRS UK\)](#)

<sup>185</sup> Dr Sophie Cartwright, [Jesuit Refugee Service UK \(JRS UK\)](#), [Oral evidence session 3](#)

The lived experience campaigning group Allies for Justice pointed out that a deterioration in a person’s mental health can negatively affect their ability to engage with their immigration case and to advocate for themselves.<sup>186</sup>

### 2.2.3 Shared facilities, lack of privacy and sleep deprivation

Almost all facilities at Napier are shared, and are set up in such a way that provides residents with little privacy. For example, most residents at the site sleep in 14-person dormitories, with bed spaces separated only by plywood partitioning that does not reach the ceiling/floor, and a curtain at the entrance to the space rather than a door. Showers and toilets are also shared, along with dining and recreational facilities.<sup>187</sup>

These conditions led to a number of different problems for residents. The lack of a door on the bed spaces left residents feeling uncomfortable, particularly at night or when changing, since staff and others are able to enter the space without permission or warning.<sup>188</sup> The number of people and lack of sound barriers meant the dormitories were noisy and made private or confidential conversations difficult, for example with lawyers or family members.

The conditions also caused residents to experience significant sleep disruption. It was striking to see how many respondents raised this as an issue,<sup>189</sup> with JRS UK describing it as a “serious and prolific problem”.<sup>190</sup> Indeed, in their view the degree of disruption was so severe that it amounted to “sleep deprivation”.<sup>191</sup>

Residents detailed the distressing impacts that the lack of privacy and sleep were having on them:

Oscar - “I’m almost finished. The place is not good for me. It should be a good place, not this. I can’t sleep, there is so much noise at night. Everyone has their own problems, everyone is noisy, everyone is stressed, everyone is worried, everyone is tense. I sleep maybe 2-4 hours a night. I think about my life, I think about my wife and children. I think about why my life is so bad”.<sup>192</sup>

Alexander<sup>193</sup> - “The total lack of privacy is very uncomfortable. It doesn’t feel safe... I have not been sleeping at all because the dormitory is noisy. No one is sleeping. If I sleep at

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<sup>186</sup> [Allies for Justice](#)

<sup>187</sup> [Clearsprings Ready Homes - submission on Napier; NB & Ors](#)

<sup>188</sup> [Matthew Gold & Co. Solicitors; Victor, Oral evidence session 2 – Part 2](#)

<sup>189</sup> [Doctors of the World \(DOTW\); Jesuit Refugee Service UK \(JRS UK\); Matthew Gold & Co. Solicitors; Helen Bamber Foundation \(HBF\) – submission 2; Oral evidence session 1 – Part 2; Oral evidence session 2 – Part 2](#)

<sup>190</sup> [Jesuit Refugee Service UK \(JRS UK\)](#)

<sup>191</sup> [Jesuit Refugee Service UK \(JRS UK\)](#)

<sup>192</sup> Oscar, [Oral evidence session 2 – Part 2](#)

<sup>193</sup> Name changed to protect the individual’s identity

all, it is fitful. Because of not having a sleep pattern, I have headaches all the time. It feels like my bones are broken. I'm tired all the time".<sup>194</sup>

Edward<sup>195</sup> - "There is too much noise here. Not only the constant noise but also the levels of noise, which creates conflict among the men. I suffer from extreme lack of sleep and everyone suffers from this. The lack of sleep causes more complex problems, it isn't only the lack of sleep. People are very stressed and anxious. There is a lack of privacy, there is no place to rest".

## 2.2.4 Cleanliness and state of repair

The level of cleanliness and state of repair at Napier was another cause for concern. A volunteer who had visited the site described it as "crumbling before your eyes"<sup>196</sup> and spoke of paint peeling from the walls, broken furniture including beds, and signs warning of the presence of asbestos.<sup>197</sup>

Respondents told the APPG Inquiry that toilets and showers were poorly maintained and often out of order,<sup>198</sup> that there had been times when no soap was available for hand-washing.<sup>199</sup> They also reported that residents had been given "filthy" mattresses to sleep on,<sup>200</sup> and that there had been infestations of bed-bugs.<sup>201</sup>

There had also been outbreaks of scabies, a highly infectious skin disease. Former resident Erfan said he had been infected with the disease in October 2020 while at the site, and other respondents described a later outbreak in April 2021,<sup>202</sup> suggesting that it may be a recurring problem.

## 2.2.5 Covid-19 safety

Covid-19 safety concerns and failings at Napier have been documented extensively, particularly following the large-scale outbreak at the site in January 2021.<sup>203</sup>

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<sup>194</sup> Alexander, [Oral evidence session 2 – Part 2](#)

<sup>195</sup> Name changed to protect the individual's identity

<sup>196</sup> [Anonymous 2 – submission 2](#)

<sup>197</sup> [Anonymous 2 – submission 1](#)

<sup>198</sup> [Matthew Gold & Co. Solicitors](#)

<sup>199</sup> Milad, [Oral evidence session 2 – Part 1](#)

<sup>200</sup> [Anonymous 2 – submission 2](#)

<sup>201</sup> Erfan, [Oral evidence session 2 – Part 1](#)

<sup>202</sup> [Anonymous 2 – submission 2](#)

<sup>203</sup> See for example: [An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks](#); [NB & Ors](#); correspondence published by the Home Affairs Committee, including from [Public Health England](#) and [Kent Resilience Forum](#)

Many respondents highlighted how difficult social distancing was at Napier, in particular given the shared facilities, including the large-scale dormitories.<sup>204</sup>

They shared details about what occurred at the site during the large-scale Covid-19 outbreak in January 2021. Former resident Erfan, who himself contracted the virus, described how on-site staff allowed residents to mix freely during the outbreak, even if they had tested positive. He told the APPG Inquiry:

“It was in mid-January [2021] that one block - Block 5 - had 5-6 positive cases inside and they were confirmed to be positive, they were infected with Covid. They put fences around that aforementioned block, Block 5. And after 1 or 2 days, they removed the fences and let the infected ones mixed with everyone else in the camp.

“And when I asked the camp manger ‘why are you doing such a thing?’, he said ‘it’s because the camp is representing a big house, it’s big house, and people are free to be inside of their house’. So, they let the infected ones mix with everyone. And after a few weeks, we just saw half of the population of the camp become infected, including me.”<sup>205</sup>

Erfan also described a near total lack of care on-site, with residents left to fend for themselves:

“We... felt we [were] ignored, we [were] neglected. No one like doctors or nurses came to ask how we feel or if we need anything. We were just left behind. People were lying on bed. You could hear the sneeze and cough all around the camp... it was like the apocalypse.”<sup>206</sup>

Matthew Gold & Co. Solicitors, who represented clients at Napier during the outbreak, said:

“It appeared to us that no meaningful attempt was made to protect residents from contracting Covid-19. One client reported to us that he had tested negative, but was still sharing a dormitory with 13 men who had tested positive for Covid-19. He subsequently contracted Covid-19. Numerous other clients told us that barracks staff had refused to move men who had tested positive with Covid-19 into other dormitories, or vice versa. The prevailing attitude appeared to be that it was inevitable that all residents would contract Covid-19”.<sup>207</sup>

Likewise, a volunteer at Napier highlighted the case of a resident with significant mental health difficulties who contracted Covid-19 during the outbreak. He reportedly received no welfare

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<sup>204</sup> [Jesuit Refugee Service UK \(JRS UK\)](#); [Matthew Gold & Co. Solicitors](#); [Allies for Justice](#); [Quaker Asylum and Refugee Network \(QARN\)](#); [Oral evidence session 1 – Part 2](#); Erfan, [Oral evidence session 2 – Part 1](#); Victor, [Oral evidence session 2 – Part 2](#); Maddie Harris, [Humans for Rights Network](#), [Oral evidence session 3](#)

<sup>205</sup> Erfan, [Oral evidence session 2 – Part 1](#)

<sup>206</sup> Erfan, [Oral evidence session 2 – Part 1](#)

<sup>207</sup> [Matthew Gold & Co. Solicitors](#)

checks or healthcare interventions, despite his pre-existing vulnerability and his struggling with symptoms from the virus. The volunteer also faced difficulty in getting access to the site for an ambulance to attend to him. He was eventually transferred out of the site, following an intervention by a healthcare charity.<sup>208</sup> The Royal College of Psychiatrists reported the case of a client who was seriously ill with Covid-19 but was “strongly discouraged” by staff from calling an ambulance.<sup>209</sup> DOTW also reported the case of a resident who tested positive during the outbreak, but was unable to self-isolate and not given any advice as to what to do. They reported that he felt “awful” knowing that he might be passing the virus on to other people in his dormitory.<sup>210</sup>

In the aftermath of the outbreak, many felt that government ministers had placed the blame for its occurrence on residents. The Home Secretary stated it was “a fact” that people were not following Covid-19 rules at the site, and then Immigration Minister Chris Philp MP accused residents at the site of refusing to take Covid-19 tests, self-isolate or follow social distancing rules.<sup>211</sup> Former resident Erfan described his reaction to these statements:

“When I saw that it was the residents who were blamed for this Covid outbreak by not practicing social distancing - which was completely impossible - I really felt that this is wrong, people are misinformed about the reality of the camp and what has been happening.”<sup>212</sup>

In June 2021 the High Court ruled in *NB & Ors* that, if Napier was to continue to be used, there needed to be “substantial improvements” in the conditions there, including “measures to reduce the risk of Covid infection”.<sup>213</sup> In a letter to APPG Chair Alison Thewliss MP in August 2021, Immigration Minister Kevin Foster MP laid out the Covid-19 related “improvements” introduced at the site following the High Court’s judgement. They were:

- Offering all residents of Napier vaccinations against Covid-19
- Ensuring new residents take a lateral flow test on arrival and thereafter twice a week
- Ensuring all staff take a lateral flow test on arrival
- Providing extensive Covid-19 signage in the top 10 languages
- Providing residents with personal cleaning kits<sup>214</sup>

It is not clear why such basic steps were not introduced sooner at the site, nor how they are sufficient to ensure Covid-19 safety. Notably, for example, the list does not include any

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<sup>208</sup> Anonymous 2 – submission 3

<sup>209</sup> [Royal College of Psychiatrists](#)

<sup>210</sup> [Doctors of the World \(DOTW\)](#)

<sup>211</sup> See <https://questions-statements.parliament.uk/written-questions/detail/2021-02-03/148842>; <https://www.politicshome.com/news/article/priti-patel-blames-napier-barracks-asylum-seekers-causing-covid-outbreak>; <https://questions-statements.parliament.uk/written-questions/detail/2021-02-03/148842>

<sup>212</sup> Erfan, Oral evidence session 2 – Part 1

<sup>213</sup> *NB & Ors*

<sup>214</sup> <https://appgdetention.org.uk/wp-content/uploads/2021/09/2021-08-27-FBIM-to-Alison-Thewliss-MP.pdf?x19501>



improvements regarding the use of shared facilities, including the large-scale dormitories and toilet and shower facilities.

Other concerns were raised by respondents in relation to the new measures. One resident described the approach to testing at the site as “extremely careless”, telling the APPG Inquiry that staff providing tests missed residents if they were sleeping, and sometimes failed to give results back to people, meaning they would not know if they had tested positive or not.<sup>215</sup> HBF also reported cohorting arrangements at the site in July that fell “well short” of recommendations made by Public Health England, with residents separated into two large “bubbles”, each consisting of over 100 people, and no prevention of people mixing in shared areas.<sup>216</sup>

### 2.2.6 Fire safety

Serious concerns were identified at Napier by the Crown Premises Fire Safety Inspectorate (CPFSI) in November 2020. HMIP reported that some of the issues identified had still not been addressed by the time of their inspection in February 2021.<sup>217</sup> This was despite the significant fire at the site in late January (see Section 1.4.2).

The APPG Inquiry asked CRH about fire safety at the site. They reported that outstanding CPFSI concerns had been addressed and that a new Fire Risk Assessment was completed in late July 2021.<sup>218</sup> However, according to other evidence there was no indication that one of the key fire safety concerns, the combustible plywood partitions in the dormitories, had yet been removed.<sup>219</sup>

### 2.2.7 Food and nutrition

The government had stated that it provides residents at Napier with “three nutritious meals a day”.<sup>220</sup> According to CRH, the menus are reviewed by an independent food nutritionist, with processes in place to monitor food safety and to ensure residents with allergies or cultural/religious food requirements received appropriate meals.<sup>221</sup>

Wider evidence raised concerns about food and nutrition at the site. Residents also had to queue outside without shelter to receive their food.<sup>222</sup> They reported food being undercooked, not fresh, and out of date.<sup>223</sup> They also had little choice over what they ate, an issue compounded by the

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<sup>215</sup> Victor, [Oral evidence session 2 – Part 2](#)

<sup>216</sup> Dr Jill O’Leary, Helen Bamber Foundation, [Oral evidence session 1 – Part 2](#)

<sup>217</sup> See [An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks](#)

<sup>218</sup> [Clearsprings Ready Homes - submission on Napier](#)

<sup>219</sup> Shu Shin Lu, Doughty Street Chambers, [Oral evidence session 1 – Part 1](#)

<sup>220</sup> <https://hansard.parliament.uk/Commons/2021-06-10/debates/2CBACD06-7E45-4EB3-8FA3-976D1D4488E6/NapierBarracksAsylumAccommodation>

<sup>221</sup> [Clearsprings Ready Homes - submission on Napier](#)

<sup>222</sup> [Freedom from Torture](#)

<sup>223</sup> [Doctors of the World \(DOTW\)](#); [Jesuit Refugee Service UK \(JRS UK\)](#)

lack of independent cooking facilities at the site.<sup>224</sup> The ability to prepare and eat one’s own food was described as “essential for a sense of equality, dignity, identity and culture” and not being able to do as “dehumanising”.<sup>225</sup>

Some residents lost appetite and weight whilst in the camp. Medical Justice reported that one of their clients had described “struggling to eat the food provided” at Napier and lost 10-15 kilograms whilst there.<sup>226</sup> JRS UK shared the testimony of another resident:

“The food was poor and we found tins that had expired... Everyone had a problem with the food in the camp. I lost 10 kilos in weight.”<sup>227</sup>

Victor, a resident in the second cohort at Napier, reported that meals had improved during his time there. However, he also noted that during Ramadan, food was not served at the correct time due to the large numbers of people needing to dine.<sup>228</sup>

## Penally

### 2.2.8 Geographical and social isolation

Penally Camp is situated in a small rural community in Pembrokeshire, West Wales. Its remote setting made it very difficult for residents to access key services, such as trauma-focused mental health support, legal advice or English language classes.<sup>229</sup>

The Welsh Refugee Council, whose caseworkers regularly visited the site, said that residents at Penally were “physically, socially and economically isolated from their local community”.<sup>230</sup> They also reported that there was no WiFi installed at Penally until just a few weeks before the site closed. This lack of internet access “effectively cut residents off from the outside world”, making it difficult for them to communicate with family or access services or resources that could help them in pursuing their asylum claims.<sup>231</sup>

### 2.2.9 Prison-like / military setting

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<sup>224</sup> Dr Jill O’Leary, Helen Bamber Foundation, [Oral evidence session 1 – Part 2](#)

<sup>225</sup> [Dr Susanne Jaspars](#)

<sup>226</sup> [Medical Justice](#)

<sup>227</sup> [Jesuit Refugee Service UK \(JRS UK\)](#)

<sup>228</sup> Victor, [Oral evidence session 2 – Part 2](#)

<sup>229</sup> [Welsh Refugee Coalition](#)

<sup>230</sup> [Welsh Refugee Council](#)

<sup>231</sup> [Welsh Refugee Council](#)

Residents described the site as feeling like “a prison camp”, with features such as fences, barbed wire, uniformed guards.<sup>232</sup> The Welsh Refugee Coalition reported that many residents in fact thought they were being detained.<sup>233</sup>

Penally was used as a military training camp until just one week before the Home Office began moving asylum seekers into the site,<sup>234</sup> and a former resident described his shock upon arriving there and being “faced with the metal firing target of a soldier”.<sup>235</sup>

Residents reported that they found these prison-like and military features triggering, leading them to experience night terrors, panic attacks, anxiety, emotional outbursts and other symptoms often associated with PTSD.<sup>236</sup>

## 2.2.10 Shared facilities and lack of privacy

Almost all facilities at Penally were shared, and set up in such a way that residents lacked privacy. Sleeping quarters consisted of huts, each containing a 6-person bunk bed dormitory. Camp Residents of Penally (CROP), a union formed by residents at Penally, reported that the huts were only lockable from the inside and that staff refused to provide residents with keys to lock the huts when unoccupied.<sup>237</sup>

Toilet and shower facilities at the site were shared. Many of the showers were not private, with multiple shower heads in an open row and curtains only installed after several months.<sup>238</sup> CROP noted the inappropriateness of requiring people to shower in this way without privacy, saying that it made residents feel “deeply uncomfortable”.<sup>239</sup> Evidence submitted also suggested that, initially at least, there were no locks on the shower and toilet facilities.<sup>240</sup>

The Welsh Refugee Council told the APPG Inquiry that many of the men at Penally “struggled” with the lack of privacy, and reported feeling “ashamed to be seen or heard crying”.<sup>241</sup> Former

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<sup>232</sup> [Welsh Refugee Council](#)

<sup>233</sup> [Welsh Refugee Coalition](#)

<sup>234</sup> <https://questions-statements.parliament.uk/written-questions/detail/2021-02-22/HL13492>

<sup>235</sup> Kenan, [Oral evidence session 2 – Part 1](#)

<sup>236</sup> [Welsh Refugee Council](#)

<sup>237</sup> [Camp Residents of Penally \(CROP\)](#)

<sup>238</sup> [An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks](#)

<sup>239</sup> [Camp Residents of Penally \(CROP\)](#)

<sup>240</sup> In its evidence on Penally, CRH said that the toilet and shower facilities at the site had had a locked door with a door entry / coded system; see [Clearsprings Ready Homes - submission on Penally](#). The Welsh Refugee Council, however, reported that CRH had initially refused to fit locks but did so eventually shortly before HMIP’s inspection visit in February; see [Welsh Refugee Council](#).

<sup>241</sup> [Welsh Refugee Council](#)

resident Kenan said that there was “no privacy at all” at the site, and pointed out that this made it difficult for people to communicate with their solicitors, or to make family calls.<sup>242</sup>

Likewise, CROP said that there was “no private space for people to feel safe” at the site. They described the lack of privacy as “inhumane”, reporting that it made residents feel “increasingly desperate” and like they were being treated “without dignity”.<sup>243</sup>

### 2.2.11 Cleanliness and state of repair

CRH told the APPG Inquiry that the sleeping huts, toilets, showers and all communal areas at Penally were cleaned twice a day.<sup>244</sup> Yet CROP reported that sleeping quarters were only cleaned once a week,<sup>245</sup> while the Welsh Refugee Council described “frequent blockages” in the toilets and showers which often left them unusable, and noted “numerous” complaints from residents about the lack of cleaning.<sup>246</sup>

CRH also stated that residents’ bedding was cleaned once a week or twice if necessary, and that residents could wash their clothing “as and when required by them”.<sup>247</sup> Some residents had told the Welsh Refugee Council, however, that bedding was only replaced every few weeks,<sup>248</sup> and CROP reported that washing machines at the site would often break, meaning residents would have to wash their clothes in the hand basins in the toilet blocks, or even “in rubbish bins”.<sup>249</sup> The drying machines also frequently did not work effectively, leaving residents with damp clothes.<sup>250</sup>

There appear to have been problems with heating and insulation at the site too, with CROP highlighting that heaters would often not work and that rooms were cold.<sup>251</sup> Residents had reported that their health suffered during the winter months in particular, due to the cold and damp conditions.<sup>252</sup>

Residents found the process to report a complaint or request a repair lengthy and difficult to navigate, in part due to the number of subcontractors involved. Former resident Kenan explained:

“[Penally is] run by private contractors...Clearspring Ready Homes. And they are using subcontractors to run that site. When you want to follow the proper channel for the complaints, you have to go to... Migrant Help over phone and wait for hours to get

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<sup>242</sup> Kenan, [Oral evidence session 2 – Part 1](#)

<sup>243</sup> [Camp Residents of Penally \(CROP\)](#)

<sup>244</sup> [Clearsprings Ready Homes - submission on Penally](#)

<sup>245</sup> [Camp Residents of Penally \(CROP\)](#)

<sup>246</sup> [Welsh Refugee Council](#)

<sup>247</sup> [Clearsprings Ready Homes - submission on Penally](#)

<sup>248</sup> [Welsh Refugee Council](#)

<sup>249</sup> [Camp Residents of Penally \(CROP\)](#)

<sup>250</sup> [Camp Residents of Penally \(CROP\)](#)

<sup>251</sup> [Camp Residents of Penally \(CROP\)](#)

<sup>252</sup> [Welsh Refugee Coalition](#)

response. Then they will inform you that they will inform the provider, the housing provider, to solve this issue within 3 to 4 working days.

“If you approach the provider immediately about one of the complaints, they will first use the excuse of not understanding your question. You have to speak in English – so, if you are not a good speaker, you have to ask somebody else help... Then they have to direct it to the subcontractors... So, the process itself is very long. And if you are not an English speaker, your chances to achieve something is very less”.<sup>253</sup>

The Welsh Refugee Council found several instances of residents not raising complaints formally, as they feared doing so would impact on their asylum status.<sup>254</sup>

## 2.2.12 Covid-19 safety

The Welsh Refugee Council observed a “lack of compliance with basic Covid-19 regulations”.<sup>255</sup> Their caseworkers who visited Penally saw staff not complying with Covid-19 regulations”, as well as “no evidence of social distancing, insufficient hand sanitizer at entrances and in toilets” and “visitors seen walking in and out of buildings without being asked to sign in”.<sup>256</sup> They were also concerned about residents being transferred in from, and out to, shared housing with other people who may have been exposed to Covid-19, and reported a lack of clarity from officials over whether testing was taking place in these situations.<sup>257</sup>

CROP stated that “very little” was done to manage the Covid-19 risk at Penally, despite residents raising complaints.<sup>258</sup> Social distancing and self-isolation was not possible at the site, which was a source of anxiety and distress for residents, and left them feeling “exhausted” and “hopeless”.<sup>259</sup>

Former resident Kenan reported ineffective isolating procedures, with residents who had Covid-19 symptoms being moved to single isolation rooms but still having to use the same toilets and showers as other residents. He told the APPG Inquiry that maintaining Covid-19 security at the site was “impossible” and described his relief at eventually being able to leave.<sup>260</sup>

## 2.2.13 Food and nutrition

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<sup>253</sup> Kenan, [Oral evidence session 2 – Part 1](#)

<sup>254</sup> [Welsh Refugee Council](#)

<sup>255</sup> [Welsh Refugee Council](#)

<sup>256</sup> [Welsh Refugee Council](#)

<sup>257</sup> [Welsh Refugee Council](#)

<sup>258</sup> [Camp Residents of Penally \(CROP\)](#)

<sup>259</sup> [Camp Residents of Penally \(CROP\)](#)

<sup>260</sup> Kenan, [Oral evidence session 2 – Part 1](#)

Residents at Penally were provided with three meals a day.<sup>261</sup> However, respondents raised concerns in relation to food and nutrition at the site, including food being of poor quality and in some instances out of date,<sup>262</sup> and reports of a lack of available drinking water at times.<sup>263</sup>

## 2.3 Other treatment of residents

### *Napier*

#### 2.3.1 Transfers

Residents reported being transferred to Napier from their existing accommodation with little or no warning, and not being told their destination.<sup>264</sup> They described the distress this caused:

Erfan - “I was informed on one morning – like 9.00 or 10.00am – the reception called me and said I have to pack my belongings and I'm going to be transferred to somewhere else. And I was really anxious because in that situation you cannot predict where you're going to go. It can be dispersal accommodation. It can be a detention centre. So, I was really anxious”.<sup>265</sup>

Victor – “We were not given any notice, we were not given any information, we were told to pack our bags and that we were leaving the hotel. I tried to find out where we were being sent, no-one would tell us. I asked the hotel receptionist, they told me to speak to Migrant Help. I called Migrant Help, they said they didn't know. No matter how hard I tried to seek advice, no-one was able to provide us with any information. We were just sent. I only wanted to know where we were going... We got into the taxi and the taxi driver said he didn't know either. It was very unsettling”.<sup>266</sup>

Victor also reported hearing of a man who, upon discovering that he was being taken to Napier, jumped out of the taxi he was in “as he was so fearful of where he was going”.<sup>267</sup> He said he “saw lots of people arrive at Napier in distress because they had not been told their destination” and explained that some people, after realising where they were, refused to enter the site. Security guards then “forced them to get out of the taxi” and “forced them to enter the camp”.<sup>268</sup>

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<sup>261</sup> [Clearsprings Ready Homes - submission on Penally](#)

<sup>262</sup> [Welsh Refugee Council](#)

<sup>263</sup> [Bail for Immigration Detainees \(BID\)](#)

<sup>264</sup> Victor and Alexander, [Oral evidence session 2 – Part 2](#); Erfan and Milad, [Oral evidence session 2 – Part 1](#)

<sup>265</sup> Erfan, [Oral evidence session 2 – Part 1](#)

<sup>266</sup> Victor, [Oral evidence session 2 – Part 2](#)

<sup>267</sup> Victor, [Oral evidence session 2 – Part 2](#)

<sup>268</sup> Victor, [Oral evidence session 2 – Part 2](#)

JRS UK witnessed a similar incident where a man refused to get out of his taxi upon arrival at Napier. Despite the man being “very distressed”, security and staff “surrounded him”. JRS UK described this as a “pointlessly cruel practice” and also questioned its legality, given that coercion and deception appeared to be being used to transport someone.<sup>269</sup>

Comments by former resident Alexander shed light on the possible reasons why the Home Office was taking this approach:

“They didn’t tell me I was coming to Napier. If I had known where I was going, I wouldn’t have come. They know people don’t like it here, and that’s why they would [not] tell people”.<sup>270</sup>

### 2.3.2 Restrictions on residents’ movements

Residents at Napier had to sign in and out at the site, and were subject to a bag search by a security guard upon returning. They were allowed to spend a maximum of seven consecutive nights away from the site, but had to provide details of where and with whom they were staying.<sup>271</sup>

Residents who did not return to the site by 10pm received a “welfare call” from an on-site staff member.<sup>272</sup> Although this did not amount to a curfew, in practice residents believed they could not be outside the site after 10pm and that their asylum claim would be affected if they were.<sup>273</sup> According to HBF, the fear of what might happen if they left the site made residents feel “trapped”.<sup>274</sup>

Harassment and abuse from people outside the site (see Section 2.3.4), and a sense of stigma and shame from being accommodated at the site also effectively prevented residents leaving. Former resident Victor told the APPG Inquiry:

“There’s definitely people around and they looked at us in a strange way and we didn’t feel comfortable leaving the camp. There was this feeling of shame – so, every time we would go out, we would just feel like people were judging us. And it’s also because of the place that we’re staying in. We just felt a feeling of shame. And that’s why [we] didn’t leave”.<sup>275</sup>

### 2.3.3 Intimidation and mistreatment of residents on-site

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<sup>269</sup> [Jesuit Refugee Service UK \(JRS UK\)](#)

<sup>270</sup> [Alexander, Oral evidence session 2 – Part 2](#)

<sup>271</sup> [Clearsprings Ready Homes - submission on Napier](#)

<sup>272</sup> [Clearsprings Ready Homes - submission on Napier](#)

<sup>273</sup> [Matthew Gold & Co. Solicitors; Helen Bamber Foundation \(HBF\) – submission 2](#)

<sup>274</sup> [Helen Bamber Foundation \(HBF\) – submission 2](#)

<sup>275</sup> [Victor, Oral evidence session 2 – Part 2](#)

Former resident Erfan told the APPG Inquiry that some staff at Napier had been “supportive and sympathetic” towards them, and had made the environment “more bearable”.<sup>276</sup>

There were also reports of staff mistreating residents however. This ranged from staff being uncaring or impolite,<sup>277</sup> to making residents feel dehumanised and criminalised.<sup>278</sup> Oscar explained how such treatment was affecting him:

“Two of the guards have been unkind to me and I avoid them now. If they are giving out food, I wait until their shift changes and then I go for food after, as I cannot cope with the extra stress of people being unkind to me”.<sup>279</sup>

There had also been reported attempts by staff to intimidate and threaten residents, including staff “consistently” telling residents that speaking to the media or raising complaints would affect their asylum claim.<sup>280</sup> Andreas, a resident at Napier, explained the effect this was having:

“They have destroyed the feeling I had about my right to speak out. They show you that it is not your place to do so... Being here has forced me down... You have no confidence in yourself to effect any change”.<sup>281</sup>

The impacts also became clear in the APPG Inquiry’s own evidence gathering process. When the Panel held a session in early July 2021 to hear from people still accommodated at the site, many residents wanted to take part but expressed extreme concern about doing so. In the event, a small number did attend, but were so fearful of potential repercussions that they did not appear on camera, asked to remain anonymous, and in most cases requested that their statements be read out by charities’ staff members rather than speaking themselves. This was despite the session being a private one, with only APPG members and a small number of parliamentary staff in attendance. As one resident Alexander explicitly stated in his evidence to us:

“I don’t want to talk to the APPG directly because I’m worried I might get different treatment from people working at Napier and I’m worried it might affect my asylum case”.<sup>282</sup>

Former resident Milad recounted how he and other residents in the first cohort had planned a peaceful protest at the site to highlight the “very hard conditions” they were facing. He said that a police officer came on site and told residents that if the protest went ahead, those involved would

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<sup>276</sup> Erfan, [Oral evidence session 2 – Part 1](#)

<sup>277</sup> Oscar, [Oral evidence session 2 – Part 2](#)

<sup>278</sup> Erfan, [Oral evidence session 2 – Part 1](#)

<sup>279</sup> Oscar, [Oral evidence session 2 – Part 2](#)

<sup>280</sup> Naomi Blackwell, Jesuit Refugee Service UK (JRS UK), [Oral evidence session 2 – Part 2](#). See also Maddie Harris, Humans for Rights Network, [Oral evidence session 3](#) and <https://www.theguardian.com/world/2021/jun/06/asylum-seekers-in-napier-barracks-face-blacklist-threat-for-speaking-out>

<sup>281</sup> Andreas, [Oral evidence session 2 – Part 2](#)

<sup>282</sup> Alexander, [Oral evidence session 2 – Part 2](#)



be arrested and jailed. As a result, “no one came out for the protest. Because [the police officer] said it’s against the law. We are vulnerable - we don’t look for more trouble”. This meant that he and the other men were denied the chance “to just tell our voice to... others”.<sup>283</sup>

The Humans for Rights Network said that CRH and the Home Office had “dismissed” reports of intimidation and threats by staff when she had raised them.<sup>284</sup> When the APPG Inquiry asked CRH about its response to such reports, CRH said that residents could submit a complaint and would be supported by on-site staff and Migrant Help to do this.<sup>285</sup> Beyond this however, it did not appear to be taking any proactive action around such reports. It is not clear how relying on the complaints process alone could ever be effective in this scenario, when the very problem is one of residents being intimidated into *not* making complaints.

### 2.3.4 Harassment and abuse of residents off-site

Residents received harassment and abuse from people outside the site, including those with anti-migrant views and members of far-right groups staging protests.

Research has shown that being made to feel unwelcome is a risk factor for refugees’ mental health and is likely to lead to symptoms of psychological distress.<sup>286</sup> The APPG Inquiry asked CRH what it was doing to protect residents from such activities. CRH stated that it continually liaised and shared intelligence with Kent Police regarding any known pre-planned demonstration or protest, and that residents would be informed of any such activities.<sup>287</sup>

The situation left residents feeling unsafe and trapped. For example, former resident Erfan explained that because the camp was controversial, it attracted “individuals who were against our presence”. The individuals “would come on a daily basis and harass us. They would wait outside. If anyone wanted to go out, they would just shout at them or swear at them, and harass us, asking questions.” This situation meant that eventually “some people didn’t want to go out because they expected to be harassed”.<sup>288</sup>

Similarly Edward, who was still accommodated at the site when he gave evidence, said:

“People come up to the fences at the barracks and film us inside. I have heard that they post the photos and racist comments on Facebook. This makes it all feel difficult. I now feel I am a prisoner and it is hard to cope with losing your sense of self when there is no

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<sup>283</sup> Milad, [Oral evidence session 2 – Part 1](#)

<sup>284</sup> Maddie Harris, Humans for Rights Network, [Oral evidence session 3](#)

<sup>285</sup> [Clearsprings Ready Homes - submission on Napier](#)

<sup>286</sup> [Helen Bamber Foundation \(HBF\) – submission 1](#); [Helen Bamber Foundation \(HBF\) – submission 2](#)

<sup>287</sup> [Clearsprings Ready Homes - submission on Napier](#)

<sup>288</sup> Erfan, [Oral evidence session 2 – Part 1](#)

real reason for feeling like this. It makes you think about your life a lot. And how bad it is”.<sup>289</sup>

Residents also received abuse, including racial abuse, whilst out in the local community. They had reported this happening on the short walk to a nearby drop-in centre, which had deterred many from going and seeking support.<sup>290</sup> One resident was verbally abused by two women from their car, who told him to “go back to where you came from” and that they should leave before he tried to “behead” them. The man had also been interviewed with the BBC and then read the comments posted online underneath the article. He was reportedly “hurt and shocked and found it very difficult to understand why he was being targeted with abuse”.<sup>291</sup> Following these incidents, the man had found it hard to leave the site unaccompanied.<sup>292</sup>

At the time of gathering evidence (late June – early July 2021), there had been an increase in reports of residents being racially abused and harassed.<sup>293</sup> One respondent linked this to the handing down of the High Court judgement in early June: following the judgement, the barbed wire on top of the perimeter fence surrounding the site was removed, leading to an incident where a number of local residents climbed over the fence, entered the site and attempted to attack a resident.<sup>294</sup> In the respondent’s view this demonstrated how unsuitable the site was for use as asylum accommodation: “it is evident that the barbed wire is problematic for the residents because being surrounded by it can trigger painful memories but when it is removed it renders them unsafe from violence directed towards asylum seekers”.<sup>295</sup>

The prison-like nature of the accommodation at Napier (see Section 2.2.2) appeared to exacerbate the abuse and harassment of residents, since it led local people to believe incorrectly that people housed at the site were criminals.<sup>296</sup> Former resident Milad described an upsetting incident he had experienced:

“[Napier is] isolated... with fences, with this barbed wire... [Local residents see] some people inside this, like they are some kind of criminal or something.

“They want to take a walk with their children and they see this scene. What will they think? What if I want to take a walk... How they see me? It happened to me - there was a lady with her two children, she just take their hands and [said] ‘let’s go away’”.<sup>297</sup>

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<sup>289</sup> Edward, [Oral evidence session 2 – Part 2](#)

<sup>290</sup> [Anonymous 2 – submission 2](#)

<sup>291</sup> [Anonymous 2 – submission 2](#)

<sup>292</sup> [Anonymous 2 - submission 2](#)

<sup>293</sup> [Anonymous 2 - submission 2](#); Maddie Harris, Humans for Rights Network, [Oral evidence session 3](#)

<sup>294</sup> [Anonymous 2 - submission 2](#); <https://www.independent.co.uk/news/uk/home-news/napier-barracks-asylum-seekers-racially-attack-kent-police-b1871243.html>

<sup>295</sup> [Anonymous 2 - submission 2](#)

<sup>296</sup> [Anonymous 2 – submission 2](#)

<sup>297</sup> Milad, [Oral evidence session 2 – Part 1](#)

The perception of residents by the local community was also likely to have been negatively affected by action on the part of the Home Office itself. Former resident Erfan said that, following the fire at the site in January 2021, people in the local community were sent a letter from Home Office. The letter apparently stated “we are trying hard to keep you safe from Napier Barracks residents”.<sup>298</sup> He described the impact that this comment had:

“It totally tells you that we are all criminals, we are savages, and they are keeping the locals safe from us... It was really painful - I'm a person, I have my own history and I'm living among you. I'm part of society. And you're introducing us as criminals”.<sup>299</sup>

### 2.3.5 Harassment and abuse of charity staff working with residents

Staff of charities also reported being harassed and abused as a result of their work with residents at Napier. This included being filmed and followed when near the site by known members of far-right groups,<sup>300</sup> and being verbally abused when out walking with Napier residents in the local community.<sup>301</sup>

One respondent, who wished to remain anonymous, described one such incident:

“In September 2020 I was targeted along with my friend... when delivering aid to [Napier] when it first opened. We were filmed and threatened by a far right group. We then watched them attack one of the [residents] as he was leaving the site. My friend challenged them and they filmed her and my number plate and posted this on YouTube, Twitter and far right media channels. We felt very unsafe after this. We avoided [a] welcome rally we were due to attend after the police advised us not to go. The police also advised me to change my number plate”.<sup>302</sup>

The respondent, who helped run a drop-in centre for Napier residents, also explained that they had to be careful when collecting donations or recruiting volunteers to ensure they were not targeted or infiltrated by far right members. These concerns meant they could not easily promote the work they were doing, which in turn made it harder to raise donations.<sup>303</sup>

### 2.3.6 Communication with residents and length of stay

Residents in the first cohort at Napier did not know how long they would be accommodated at the site for, and this had a negative impact on their mental health. They were initially told they would be at the site for one month.<sup>304</sup> However, as former resident Erfan recounted:

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<sup>298</sup> Erfan, [Oral evidence session 2 – Part 1](#)

<sup>299</sup> Erfan, [Oral evidence session 2 – Part 1](#)

<sup>300</sup> Maddie Harris, Humans for Rights Network, [Oral evidence session 3; Anonymous 2 – submission 2](#)

<sup>301</sup> Dr Sophie Cartwright, Jesuit Refugee Service UK (JRS UK), [Oral evidence session 3](#)

<sup>302</sup> [Anonymous 2 – submission 2](#)

<sup>303</sup> [Anonymous 2 – submission 2](#)

<sup>304</sup> Erfan, [Oral evidence session 2 – Part 1; Anonymous 1; Quaker Asylum and Refugee Network \(QARN\)](#)

“After a few weeks and after a few months, [we] just realised that that piece of information wasn't true at all. And that we are going to be there for an unpredictable time...

“When we [asked] the camp managers and staff how long we were going to be here, they said ‘we don't know’ and that the Home Office should inform us. And no-one knew - I mean, Migrant Help didn't know how long we were going to be there. The staff and camp managers didn't know... Our mental health became more and more deteriorated over time by realising that there's no answer to our questions”.<sup>305</sup>

Residents in the second cohort at Napier were told upon arrival that they would be accommodated at the site for 60-90 days.<sup>306</sup> In his letter to APPG Chair Alison Thewliss MP in August 2021, Immigration Minister Kevin Foster MP stated that the Home Office had brought in this change following the High Court ruling in June. The letter also stated that “once an individual's stay has hit 60 days, we will look to move to dispersal accommodation before the 90-day limit”.<sup>307</sup>

At the time of gathering evidence it was too early to know whether the 90-day limit was being adhered to. However, other evidence submitted to the APPG Inquiry still documented very serious mental health difficulties experienced by residents in the second cohort, despite the policy change (see Section 2.1.4).

There was also a wider lack of communication with and information provided to residents in both cohorts, including in relation to the progress of their asylum claims. JRS UK explained that since February 2021, the Home Office had been holding weekly on-site group meetings with asylum claimants at Napier. However, this attempt to provide information did not appear to work very well:

“From what the people at Napier tell us, they really struggle to get any answers and they struggle to actually feel like they understand more coming out of the sessions... People come out confused”.<sup>308</sup>

Richard<sup>309</sup>, who was still accommodated at the site when he gave evidence, told the APPG Inquiry:

“At the beginning when you arrive, you don't really know what is happening, or why. And then after a few weeks, still nothing is happening and your depression starts to impact on

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<sup>305</sup> Erfan, [Oral evidence session 2 – Part 1](#)

<sup>306</sup> [Matthew Gold & Co. Solicitors; Jesuit Refugee Service UK \(JRS UK\)](#); see also <https://www.theguardian.com/politics/2021/apr/08/asylum-seekers-told-stay-napier-barracks-for-months>

<sup>307</sup> Letter to Alison Thewliss MP from Immigration Minister Kevin Foster MP – 27 August 2021. <https://appgdetention.org.uk/inquiry-into-quasi-detention-additional-documents/>

<sup>308</sup> Dr Sophie Cartwright, Jesuit Refugee Service UK (JRS UK), [Oral evidence session 3](#)

<sup>309</sup> Name changed to protect the individual's identity

you more heavily. Together with the lack of sleep, the uncertainty and the creeping depression, it is a very, very damaging environment.”<sup>310</sup>

In terms of translation services, CRH stated that residents could access a telephone interpretation service; if in-person interpretation was required, this was possible but needed to be pre-booked.<sup>311</sup> Other respondents said that such provision was not adequate and that it led staff to rely on other residents to interpret at times. According to CRH, this was not a practice used on site;<sup>312</sup> however, former resident Erfan told the APPG Inquiry that he had himself carried out such translation services during residents’ weekly welfare checks.<sup>313</sup> The practice had implications for confidentiality and, if the conversation related to traumatic events, for the mental health of the resident who was translating.<sup>314</sup>

## *Penally*

### 2.3.7 Transfers

Residents at Penally were moved to the site at very short notice and during the night. CROP compared the way residents were moved as feeling “like a kidnapping or abduction” and said that it had harmed people’s health.<sup>315</sup>

### 2.3.8 Restrictions on residents’ movements

Residents had to sign in and out at the site when leaving or arriving.<sup>316</sup> CRH stated that residents were allowed to stay away from Penally overnight, but also that “absentees were defined as [residents] who have not been on the site for a period of 24 hours”, suggesting that there was a one-night cap on this policy. Residents also had to provide details of where and with whom they were staying.<sup>317</sup>

### 2.3.9 Harassment and abuse of residents off-site

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<sup>310</sup> Richard, [Oral evidence session 2 – Part 2](#)

<sup>311</sup> [Clearsprings Ready Homes - submission on Napier](#)

<sup>312</sup> [Clearsprings Ready Homes - submission on Napier](#)

<sup>313</sup> Erfan, [Oral evidence session 2 – Part 1](#)

<sup>314</sup> Erfan, [Oral evidence session 2 – Part 1](#); Maddie Harris, Humans for Rights Network, [Oral evidence session 3](#); [Anonymous 1](#)

<sup>315</sup> [Camp Residents of Penally \(CROP\)](#)

<sup>316</sup> [Clearsprings Ready Homes - submission on Penally](#)

<sup>317</sup> [Clearsprings Ready Homes - submission on Penally](#)

CROP described how the site was “a target for hate crimes and threats”, which made residents feel “unsafe”.<sup>318</sup> Former resident Kenan recounted how far-right members would shout racist remarks, such as ‘invaders’ and ‘illegal immigrants’, at residents “all the time”.<sup>319</sup>

Members of far-right groups would film residents in the camp and then post the footage online. Kenan explained that this was “something serious” for residents and put them at risk of identification.<sup>320</sup> Such identification, in particular by the organisations or individuals who had caused them to seek asylum, could potentially endanger the residents or their families.

There were also reports of protestors coming back to the site at night and shaking the fence and calling out to “remind” residents that they were there. This made residents afraid to use the toilets and showers at night, as the facilities were located externally and involved walking outside.<sup>321</sup>

The Welsh Refugee Coalition expressed frustration that the Home Office had proceeded with accommodating asylum seekers at the site, when it was “well known that far-right extremist groups were deliberately targeting temporary asylum accommodation such as hotels and barracks”.<sup>322</sup> They said that the resulting influx of far-right extremists had “brought hate, racism and violence to a small coastal community” and reported that community cohesion officers in Pembrokeshire were “still reckoning with the potential long term impacts of such far-right extremism on the local community and how to prevent this fuelling more hate in future”.<sup>323</sup> They pointed out that the violence had not only affected residents at the site, but also local people supporting them, who had “also suffered vitriolic abuse and intimidation”.<sup>324</sup>

### 2.3.10 Communication with residents

According to the Welsh Refugee Coalition, initial Home Office communication with people moved to Penally was poor: “men, particularly individuals with little or no English, did not receive adequate explanation of where they were or why they had been moved”.<sup>325</sup>

Many men in the camp thought they were being detained. Welsh Refugee Coalition members heard cases of men dispersed to the camp from Bristol contacting their English teachers there in distress “because they had no idea where they were or why they had been put in the camp”.<sup>326</sup> In addition, when men were dispersed out of the camp, they were given inadequate information about where they would be dispersed to and what support services would be available there.<sup>327</sup>

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<sup>318</sup> [Camp Residents of Penally \(CROP\)](#)

<sup>319</sup> [Kenan, Oral evidence session 2 – Part 1](#)

<sup>320</sup> [Kenan, Oral evidence session 2 – Part 1](#)

<sup>321</sup> [Quaker Asylum and Refugee Network \(QARN\)](#)

<sup>322</sup> [Welsh Refugee Coalition](#)

<sup>323</sup> [Welsh Refugee Coalition](#)

<sup>324</sup> [Welsh Refugee Coalition](#)

<sup>325</sup> [Welsh Refugee Coalition](#)

<sup>326</sup> [Welsh Refugee Coalition](#)

<sup>327</sup> [Welsh Refugee Coalition](#)

## 2.4 Access to healthcare

### *Napier*

#### 2.4.1 Notice and planning by Home Office

The lack of notice given by the Home Office to healthcare providers regarding the site’s opening has been criticised, including by ICIBI, HMIP and medical charities.<sup>328</sup> HBF pointed out that it was “fundamentally unethical” to move a population with known vulnerabilities and complex healthcare needs, as asylum seekers have, to a new site without the necessary care provision, pathways and expertise in place.<sup>329</sup> The Quaker Asylum and Refugee Network (QARN) also noted that GPs near to both Napier and Penally had little capacity to take on the sudden influx of new patients.<sup>330</sup>

#### 2.4.2 Access to healthcare on-site

There was an on-site nurse at Napier whom residents could see from 9am-5pm, Monday to Friday. Outside these hours, residents were expected to call 111 or, in an emergency, 999; no healthcare staff were available on-site.<sup>331</sup> The Royal College of Psychiatrists explained that one nurse for a population that reached more than 400 people was insufficient, and that healthcare at the site was “bordering on non-existent”.<sup>332</sup>

HBF also pointed out that it was important for any medical professional serving a large population of asylum-seekers and victims of trafficking to have adequate training on the needs of these groups; they were concerned that some of this expertise may have been lacking in the provision at Napier.<sup>333</sup>

Respondents were concerned that non-medical staff were carrying out the triaging of residents.<sup>334</sup> This had serious implications for medical confidentiality, with residents forced to disclose highly sensitive medical information to untrained personnel. In its evidence, CRH stated that “neither CRH or general subcontractor staff conduct medical triaging of residents at Napier. The only subcontractor that actively conducts medical triage for the SUs is the on-site nurse, who is

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<sup>328</sup> See [An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks](https://committees.parliament.uk/writtenevidence/22982/html/); <https://committees.parliament.uk/writtenevidence/22982/html/>

<sup>329</sup> [Helen Bamber Foundation \(HBF\) – submission 2](#)

<sup>330</sup> [Quaker Asylum and Refugee Network \(QARN\)](#)

<sup>331</sup> [Clearsprings Ready Homes - submission on Napier](#)

<sup>332</sup> Dr Piyal Sen, Royal College of Psychiatrists [Oral evidence session 1 – Part 2](#)

<sup>333</sup> [Helen Bamber Foundation \(HBF\) – submission 2](#)

<sup>334</sup> Dr Yusuf Cifti, Doctors of the World (DOTW), [Oral evidence session 1 – Part 2](#); Helen Bamber Foundation (HBF) – [submission 2](#); Maddie Harris, Humans for Rights Network, [Oral evidence session 3](#)

qualified to do so.<sup>335</sup> However, it was an issue raised by several other respondents<sup>336</sup> and was described by one as happening “consistently”.<sup>337</sup>

CRH said that during their induction to the site, “all [residents] are introduced to the medical team and are informed of the healthcare service available”.<sup>338</sup> However, the APPG Inquiry heard that residents had “regularly” told Humans for Rights Network that they didn’t know about the nurse on-site or how to access medical care.<sup>339</sup> Alexander, a resident at Napier, provided a clear example:

"Access to medical care is a problem and no one explains anything. I have periods of pain lasting about an hour and the pain is bad, about 6 out of 10... I haven't been able to speak to a doctor about it".<sup>340</sup>

Despite high rates of mental health vulnerabilities amongst residents (see Sections 2.1.1 and 2.1.4), Napier had no mental healthcare provision on-site. Indeed, the on-site nurse had himself apparently reported struggling to deal with the mental health issues of the residents.<sup>341</sup> Former resident Victor described the lack of mental healthcare as “a void” and told the APPG Inquiry:

“There were vast numbers of people who were in desperate need for mental health support and there was no provision at all. I felt this keenly and many around me also felt it”.<sup>342</sup>

More fundamentally, respondents questioned the effectiveness, and even safety, of engaging with mental health services from the site.<sup>343</sup> As HBF explained:

“Mental health assessments, pathways and treatment around stabilisation and trauma recovery rely heavily on a person feeling safe enough to engage with professionals. Residents of Napier Barracks have repeatedly reported to our clinicians that they feel unsafe... Mental health support is not available, but even if a pathway were created, we would still be concerned that Napier Barracks is not a suitable location for people to undergo rehabilitative treatment (i.e. it could not be fully effective and in some cases would not be safe to undertake)”.<sup>344</sup>

According to Freedom from Torture, it was “impossible” to manage serious mental health conditions in institutional accommodation sites like Napier.<sup>345</sup> They highlighted how being

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<sup>335</sup> [Clearsprings Ready Homes - submission on Napier](#)

<sup>336</sup> [Clearsprings Ready Homes - submission on Napier](#)

<sup>337</sup> Maddie Harris, Humans for Rights Network, [Oral evidence session 3](#)

<sup>338</sup> [Clearsprings Ready Homes - submission on Napier](#)

<sup>339</sup> Maddie Harris, Humans for Rights Network, [Oral evidence session 3](#)

<sup>340</sup> Alexander, [Oral evidence session 2 – Part 2](#)

<sup>341</sup> [Matthew Gold & Co. Solicitors](#)

<sup>342</sup> Victor, [Oral evidence session 2 – Part 2](#)

<sup>343</sup> [Freedom from Torture; Helen Bamber Foundation \(HBF\) – submission 2; Medical Justice](#)

<sup>344</sup> [Helen Bamber Foundation \(HBF\) – submission 2](#)

<sup>345</sup> [Freedom from Torture](#)



accommodated at such sites might impact in particular on residents suffering from PTSD, one of the most common mental health conditions experienced by asylum-seekers and refugees:

“The management of PTSD requires an environment where the subject feels secure and supported in order to be successful...

“The UK National Institute for Health and Clinical Excellence (NICE) states, in relation to the treatment of PTSD: *‘Be aware of the risk of continued exposure to trauma-inducing environments. Avoid exposing people to triggers that could worsen their symptoms or stop them from engaging with treatment, for example, assessing or treating people in noisy or restricted environments, placing them in a noisy inpatient ward or restraining them.’*

“Survivors of trauma need to be in an environment where stress and triggers to re-experiencing symptoms are minimised, where they have a level of control and autonomy, and where they can develop trust and feel respected by those with whom they interact”.<sup>346</sup>

In Medical Justice’s view, Napier and other similar quasi-detention sites were “wholly inappropriate” settings for people with serious mental health problems, since they exacerbated symptoms and were not conducive to recovery.<sup>347</sup>

The nurse at Napier could prescribe electronically.<sup>348</sup> However, prescriptions were not always being provided when needed. Former resident Milad told the APPG Inquiry about a distressing incident where he was unable to access medication for a mouth infection:

“Everyone who had [a health] problem there, the only thing that he got was the paracetamol. Nothing more... I struggled for two days [with] an infection in my mouth and my face was swollen... I even couldn't have any antibiotics there because the nurse... was not allowed to even prescribe antibiotics for us”.<sup>349</sup>

The APPG Inquiry also heard of residents not having access to sufficient medication during an outbreak of scabies (a highly infectious skin condition) and having to share tubes of cream as a result in order to treat their infections.<sup>350</sup>

At the same time however there were reports of high levels of prescriptions of sleeping pills and anti-depressants to residents.<sup>351</sup> The Humans for Rights Network pointed out that, though such prescriptions might be necessary in some cases, there was “nothing holistic provided in terms of

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<sup>346</sup> [Freedom from Torture](#)

<sup>347</sup> [Medical Justice](#)

<sup>348</sup> [Clearsprings Ready Homes - submission on Napier](#)

<sup>349</sup> Milad, [Oral evidence session 2 – Part 1](#)

<sup>350</sup> Dr Jill O’Leary, [Oral evidence session 1 – Part 2](#)

<sup>351</sup> Maddie Harris, Humans for Rights Network, [Oral evidence session 3](#); Erfan, [Oral evidence session 2 – Part 1](#); Victor, [Oral evidence session 2 – Part 2](#)

supporting people with their mental health”.<sup>352</sup> Residents themselves raised the issue of sleeping pill prescriptions, but also questioned how effective they were in terms of assisting people with their mental health problems.<sup>353</sup>

### 2.4.3 Access to healthcare in the community

People seeking asylum in the UK – including all residents at Napier and Penally – are fully entitled to access GPs and other health services. GP access is particularly important since it acts as the gateway to most other NHS services, including Covid-19 vaccinations.<sup>354</sup>

CRH told the APPG Inquiry that all residents at Napier were registered by the on-site nurse at a local GP practice in Folkestone as soon as possible after arrival.<sup>355</sup> Other respondents however reported cases of residents who either said they had not been registered at the GP, or were unaware that their registration had taken place.<sup>356</sup>

Unlike people living normally in the community, residents at Napier were not able to make GP appointments themselves. Instead, they had to submit a request to the on-site nurse, who would decide whether the appointment was necessary.

Such requests could be refused, as illustrated by the experience of former resident Victor:

“I went to the nurse once and I never went again. I had a physical complaint which is brought on by stress, I know because I suffered from this in [my home country]... I asked to see a doctor as I wanted help, but he did not refer me to one. I never went back because I found it pointless and I could not circumvent the nurse to speak to another healthcare professional”.<sup>357</sup>

JRS UK noted that the process reduced residents’ agency over their healthcare, describing it as “dehumanising” and “illustrative of the wider way in which Napier is a context of control”.<sup>358</sup>

The process also acted as a barrier to healthcare access for some residents who perceived the on-site nurse to be connected to the Home Office and therefore struggled to trust and disclose sensitive medical information to him.<sup>359</sup> Dr Juliet Cohen of Freedom from Torture noted that this was particularly likely to be the case for victims of torture or sexual violence, given the additional

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<sup>352</sup> Maddie Harris, Humans for Rights Network, [Oral evidence session 3](#)

<sup>353</sup> Erfan, [Oral evidence session 2 – Part 1](#); Victor, [Oral evidence session 2 – Part 2](#)

<sup>354</sup> Dr Yusuf Cifti, Doctors of the World (DOTW), [Oral evidence session 1 – Part 2](#)

<sup>355</sup> [Clearsprings Ready Homes - submission on Napier](#)

<sup>356</sup> [Doctors of the World \(DOTW\)](#); [Matthew Gold & Co. Solicitors](#); [Jesuit Refugee Service UK \(JRS UK\)](#)

<sup>357</sup> Victor, [Oral evidence session 2 – Part 2](#)

<sup>358</sup> Dr Sophie Cartwright, Jesuit Refugee Service UK (JRS UK), [Oral evidence session 3](#)

<sup>359</sup> Dr Jill O’Leary, [Oral evidence session 1 – Part 2](#); Dr Sophie Cartwright, Jesuit Refugee Service UK (JRS UK), [Oral evidence session 3](#)

difficulties of disclosure around such experiences. In relation to torture for example, she explained:

“If somebody has to pass the barrier of the nurse in the camp who they see as a state employee, an agent of the state, and the very nature of torture is that it destroys your trust in the state, [then] it's almost impossible for people to disclose these things in that environment”.<sup>360</sup>

Likewise, victims of sexual violence were likely to find it extremely difficult to disclose unless they felt they could develop a trusting relationship with their healthcare provider and that any disclosure would be kept confidential.<sup>361</sup> Dr Cohen said it was “very unlikely” that they would feel this way at Napier.<sup>362</sup>

The on-site nurse at Napier was also able to make referrals to other types of healthcare services in the community, including for mental health.<sup>363</sup> However, such referrals were not always taking place. Oscar, a resident at Napier, reported that “nothing happened” when he disclosed to the nurse that he had been tortured,<sup>364</sup> and former resident Victor explained that, while most of the people in the camp had issues with sleeping including nightmares, “the nurse on camp did not refer any of them for therapy, which is what they really needed”.<sup>365</sup> DOTW shared the case of one of their clients at Napier, who was believed to be suffering from PTSD. They reported that the nurse at Napier did not ask the man about his mental health and so he had not been offered any support.<sup>366</sup>

In some cases, the poor conditions at Napier prevented residents from accepting the medical treatment that they needed. Andrew<sup>367</sup>, a client of DOTW, declined surgery for a serious medical condition on two occasions as he feared he would not be able to adequately care for himself afterwards at the site. He told DOTW:

“The life in the camp is very bad even if you are healthy, I was sure I would die if I had the operation and then had to return to the poor conditions of the camp; the people were not willing to help, the food was poor, the situation was bad”.<sup>368</sup>

JRS UK had also seen cases of people receiving counselling, including for histories of severe trauma, where the therapy was stopped as a result of them being sent to Napier.<sup>369</sup>

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<sup>360</sup> Dr Juliet Cohen, Freedom from Torture – [Oral evidence session 1 – Part 2](#)

<sup>361</sup> Dr Juliet Cohen, Freedom from Torture – [Oral evidence session 1 – Part 2](#)

<sup>362</sup> Dr Juliet Cohen, Freedom from Torture – [Oral evidence session 1 – Part 2](#)

<sup>363</sup> [Clearsprings Ready Homes - submission on Napier](#)

<sup>364</sup> Oscar, [Oral evidence session 2 – Part 2](#)

<sup>365</sup> Victor, [Oral evidence session 2 – Part 2](#)

<sup>366</sup> [Doctors of the World \(DOTW\)](#)

<sup>367</sup> Name changed to protect individual's identity

<sup>368</sup> [Doctors of the World \(DOTW\)](#)

<sup>369</sup> Dr Sophie Cartwright, Jesuit Refugee Service UK (JRS UK), [Oral evidence session 3](#)

## Penally

### 2.4.4 Notice and planning by Home Office

The Home Office gave the local NHS Health Board two days' notice of their decision to use Penally as asylum accommodation, with the expectation that it would mobilise the necessary services. This was despite the Board not having prior experience or the service infrastructure to do so, and during the unprecedented challenges posed by a pandemic.<sup>370</sup> As the Board stated in a letter to the Home Secretary, "(p)roper consultation would have immediately made it clear that Penally Camp is unsuitable accommodation, particularly for men who may have experienced trauma, great hardship and have been separated from their families".<sup>371</sup>

QARN highlighted how GPs near to Penally were "already overwhelmed", and had little capacity to take on the sudden influx of new patients.<sup>372</sup>

### 2.4.5 Access to healthcare on-site

CRH told the APPG Inquiry Panel that a "prescribing practitioner" was available for clinics three times per week, but it was not clear from their evidence whether the clinics were held on-site or off-site.<sup>373</sup> HMIP reported that initially two clinics were held per week on-site, run by an advanced paramedic practitioner and a nurse; following a disturbance at the camp however, the local health board decided to stop on-site provision, and instead hold the two clinics per week at the local hospital.<sup>374</sup>

It therefore seems that for at least some of the period that the site was open, there was no on-site healthcare provision at all at Penally. The evidence also indicated that there was never any on-site provision of mental health services.<sup>375</sup>

Respondents raised concerns about the quality of medical assistance provided to residents. Freedom from Torture reported that the nurse assigned to Penally "was found to be so inadequate in terms of training, experience and supervision that they first had their scope of practice limited

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<sup>370</sup> <https://hduhb.nhs.wales/about-us/governance-arrangements/statutory-committees/quality-safety-and-experience-assurance-committee-qseac/qseac/extraordinary-quality-safety-and-experience-assurance-committee-meeting-13-november-2020/item-2-3-health-response-to-the-use-of-the-mod-tra/>

<sup>371</sup> <https://hduhb.nhs.wales/about-us/governance-arrangements/statutory-committees/quality-safety-and-experience-assurance-committee-qseac/qseac/extraordinary-quality-safety-and-experience-assurance-committee-meeting-13-november-2020/item-2-3-health-response-to-the-use-of-the-mod-tra/>

<sup>372</sup> Quaker Asylum and Refugee Network (QARN)

<sup>373</sup> Clearsprings Ready Homes - submission on Penally

<sup>374</sup> An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks

<sup>375</sup> Clearsprings Ready Homes - submission on Penally; Welsh Refugee Council

and then were removed entirely”.<sup>376</sup> Former resident Kenan reported people not receiving the medical assistance they needed:

“One of the guys I know, he was having a jaw open like 2 or 3 cm, and that was making him suffer and struggle to eat. And there was stress and the jaw was open more and more, up to 5 cm. Imagine that. Such a case - everybody can notice it and identify these cases as need medical help... Other people were having asthma and they were coughing and having difficulty breathing. But yet they were left...in this condition”.<sup>377</sup>

#### 2.4.6 Access to healthcare in the community

CRH told the APPG Inquiry that its on-site staff registered residents at the local GP and made GP appointments for them.<sup>378</sup> HMIP had raised concerns that this arrangement compromised patient confidentiality,<sup>379</sup> and in CROP’s view it was “not appropriate for residents to have to speak to non-clinical staff from [CRH] about private medical information, in order to access a doctor”.<sup>380</sup> Their concerns suggest that the process acted as a barrier to residents accessing GP and other health services in the community.

Having stated that its staff at Penally undertook the GP registration of residents, CRH then told the APPG Inquiry that “neither CRH or general subcontractor staff conducted medical triaging of residents”,<sup>381</sup> a position that appears contradictory. In addition, CROP provided examples of residents’ requests for healthcare assistance being denied by on-site staff.<sup>382</sup> HBF also highlighted the case of a resident who had been assessed by an HBF doctor as needing medical attention for a persistent right-sided headache. He was “denied an appointment with a clinician and was instead given painkillers by [on-site] staff, who had wrongly assessed his presentation as ‘non-serious’”.<sup>383</sup>

The Welsh Refugee Council also shared the case of one resident Ali<sup>384</sup> whose mental health deteriorated significantly at the site but was apparently told “nothing can be done about that” when he reached out to try and access mental health support.<sup>385</sup> He also reported having various requests for a GP appointment refused, and being incorrectly told that he must pay for an urgent appointment.<sup>386</sup>

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<sup>376</sup> [Freedom from Torture](#)

<sup>377</sup> [Kenan, Oral evidence session 2 – Part 1](#)

<sup>378</sup> [Clearsprings Ready Homes - submission on Penally](#)

<sup>379</sup> [An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks](#)

<sup>380</sup> [Camp Residents of Penally \(CROP\)](#)

<sup>381</sup> [Clearsprings Ready Homes - submission on Penally](#)

<sup>382</sup> [Camp Residents of Penally \(CROP\)](#)

<sup>383</sup> [Helen Bamber Foundation \(HBF\) – submission 2](#)

<sup>384</sup> Name changed to protect individual’s identity

<sup>385</sup> [Welsh Refugee Council](#)

<sup>386</sup> [Welsh Refugee Council](#)

There were also instances of residents being given medication the instructions for which they did not understand. In one case, this resulted in a resident running out of his medication almost three weeks early, and being referred to the on-site safeguarding team after indicating self-harm and suicidal ideation.<sup>387</sup>

## 2.5 Access to legal support and the asylum system

### 2.5.1 Legal support needs of residents

All people accommodated at Napier and Penally were in the process of claiming asylum in the UK. They required two key types of legal advice and representation: immigration advice relating to their asylum claim, and public law advice if they wished to challenge the Home Office’s decision to accommodate them at the sites.<sup>388</sup> In addition to this, people also needed access to therapeutic support in advance of any asylum-related interviews to give them the resilience to make the difficult disclosures required.<sup>389</sup>

### 2.5.2 Access to legal support

Residents’ access to legal advice at Napier and Penally was inadequate. ILPA reported that this was in part due to lack of planning and facilitation by the Home Office:

“It’s been very clear from the outset of the use of the barracks that little, if any, thought has been given to the importance and inclusion of legal representatives. And that’s a real problem”.<sup>390</sup>

The sites’ locations meant there were few firms in the local area able to offer asylum advice.<sup>391</sup> ILPA pointed out that there were already “well-known” problems of capacity amongst asylum legal aid lawyers, and that expecting the sector to absorb the additional large caseload at short notice and with little consultation was “obviously unreasonable” on the part of the Home Office.<sup>392</sup> They praised the Legal Aid Agency for work it had done to try and resolve the issue at Napier, but warned that any fix was likely only to be temporary if transferred into the site resumed again.<sup>393</sup>

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<sup>387</sup> [Welsh Refugee Council](#)

<sup>388</sup> Sonia Lenegan, ILPA, [Oral evidence session 1 – Part 1](#)

<sup>389</sup> [Helen Bamber Foundation \(HBF\) – submission 2](#)

<sup>390</sup> Sonia Lenegan, ILPA, [Oral evidence session 1 – Part 1](#)

<sup>391</sup> [Anonymous 2 - submission 2](#) ; [Welsh Refugee Coalition](#); [René Cassin](#)

<sup>392</sup> Sonia Lenegan, ILPA, [Oral evidence session 1 – Part 1](#)

<sup>393</sup> Sonia Lenegan, ILPA, [Oral evidence session 1 – Part 1](#)

The charity Migrant Help were contracted by the Home Office to provide an advice, signposting and complaints service at both Napier and Penally. They produced posters with a list of immigration law firms that were displayed around the sites, and could signpost residents to legal service “if requested” by providing details of three different solicitors.<sup>394</sup>

Other respondents raised concerns that such signposting did not always take place,<sup>395</sup> or was not effective.<sup>396</sup> As a result, there was a reliance on external charities to connect residents with legal services: the Humans for Rights Network reported assisting in over one hundred such cases,<sup>397</sup> while JRS UK said that helping people to find lawyers was a “significant” part of its organisation’s work at Napier and took up “a vast amount of energy”.<sup>398</sup>

ILPA pointed out the inappropriateness of the Home Office relying on external charities in this way: “the government should be ensuring that [residents] have lawyers and that they have them in a timely manner”.<sup>399</sup> They also questioned the usefulness of the poster of immigration law firms, pointing out that at the time of giving evidence (early July 2021), five of the eleven firms on the list at Napier were not actually accepting referrals.<sup>400</sup> Migrant Help told the APPG Inquiry in September that the list had been recently updated with details of legal advisors who did have capacity to take on new clients.<sup>401</sup>

Certain features of the sites at Napier and Penally made accessing legal support difficult for residents. The lack of private space (see Sections 2.2.3 and 2.2.10) meant residents had to hold confidential conversations with legal representatives within earshot of other people, making disclosure of sensitive information difficult.<sup>402</sup> Kenan, a former resident at Penally, explained how this affected his LGBT friend at the site:

“He had to explain to his solicitor about his case and all the details. And he didn't feel safe to speak in front of anybody about that inside the camp. He didn't have privacy. We didn't have a separate room to speak... you have to speak about that [in] front of everybody, which is not allowing you to be in free communicating or deliver all the information freely to your own solicitor, which is wrong. I think it's wrong.”<sup>403</sup>

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<sup>394</sup> [Migrant Help - submission on Napier](#); [Migrant Help - submission on Penally](#)

<sup>395</sup> [Welsh Refugee Council](#)

<sup>396</sup> [Jesuit Refugee Service UK \(JRS UK\)](#)

<sup>397</sup> Maddie Harris, Humans for Rights Network, [Oral evidence session 3](#)

<sup>398</sup> Dr Sophie Cartwright, Jesuit Refugee Service UK (JRS UK), [Oral evidence session 3](#)

<sup>399</sup> Sonia Lenegan, ILPA, [Oral evidence session 1 - Part 1](#)

<sup>400</sup> Sonia Lenegan, ILPA, [Oral evidences session 1 – Part 1](#)

<sup>401</sup> [Migrant Help - submission on Napier](#)

<sup>402</sup> Clare Jennings, Matthew Gold & Co. Solicitors, [Oral evidence session 1 – Part 1](#)

<sup>403</sup> Kenan, [Oral evidence session 2 – Part 1](#)

Other concerns raised included the fact that few, if any, face-to-face visits by legal representatives had been possible at the sites,<sup>404</sup> while the remote locations of the sites and very small amount of money residents received each week (£8) meant travelling to law firm offices was difficult.<sup>405</sup>

Insufficient internet and mobile phone access further hampered communication with lawyers. Former resident Erfan explained:

“We didn't have access to Internet and some people didn't have credit to call and communicate with their solicitors...We had some Wi-Fi provided in the first one or two months, but then at some point they... disappeared. I don't know why, but we didn't have access to Wi-Fi. So those people who didn't have a SIM card or credit were left without having Internet connection or credit to call”.<sup>406</sup>

### 2.5.3 Changes to processing of residents' asylum claims at Napier – trialling of on-site substantive interviews

The asylum substantive interview is a critical stage in the UK asylum process: it is the point at which the Home Office asks the applicant in detail about their history and reasons for claiming asylum. The interview can last for several hours and, given the topics discussed, be emotionally upsetting. Following the substantive interview, the Home Office makes the decision whether to grant the person asylum or not.

Asylum substantive interviews usually take place at a Home Office building. There are long delays in the system and it can take many months or even years for a person's interview to take place.

Since April 2021, the Home Office has been “trailing” the introduction of on-site asylum substantive interviews at Napier.<sup>407</sup> Former Home Office Minister Chris Philp MP described the trial as an attempt to “speed things up a bit”.<sup>408</sup> Respondents agreed there was urgent need to reduce the length of time it takes for asylum claims to be considered, but had serious concerns about conducting the interviews on-site.

The asylum process requires people to provide as coherent, accurate, complete and consistent an account as possible of their history and reasons for claiming asylum; a failure to do this can lead to their claim being refused.<sup>409</sup> Many of the conditions and features of the site at Napier made

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<sup>404</sup> [Anonymous 2 – submission 2](#); [René Cassin](#); [Helen Bamber Foundation \(HBF\) – submission 2](#); [Maddie Harris](#), Humans for Rights Network, [Oral evidence session 3](#)

<sup>405</sup> [Clare Jennings](#), Matthew Gold & Co. Solicitors, [Oral evidence session 1 – Part 1](#)

<sup>406</sup> [Erfan](#), [Oral evidence session 2 – Part 1](#)

<sup>407</sup> <https://hansard.parliament.uk/commons/2021-07-07/debates/E660849B-8111-4A50-A764-9E674EEF79EB/DelaysInTheAsylumSystem>; [ILPA](#)

<sup>408</sup> <https://hansard.parliament.uk/commons/2021-07-07/debates/E660849B-8111-4A50-A764-9E674EEF79EB/DelaysInTheAsylumSystem>

<sup>409</sup> [Helen Bamber Foundation \(HBF\) – submission 2](#)



it very difficult for people to provide such an account. These included the deterioration in mental health and lack of sleep experienced by residents, the lack of private space, and inadequate access to legal support. The Royal College of Psychiatrists said it was “concerned as to the ability of people in this type of stressful situation being able to give a comprehensive and reliable account at interview, particularly if they have mental health vulnerabilities that have not been identified and/or addressed”.<sup>410</sup> In light of these concerns, JRS UK described Napier as a “poor context” from which to engage with the asylum process, including the substantive interview.<sup>411</sup>

Access to legal advice is vital when a person is placed in a detained, or a detention-like, setting and is then subjected to an expedited asylum process, as appears to be the case with the on-site interviews at Napier.<sup>412</sup> The importance of this access has been recognised both in legal judgements and government policy, including in the Home Office’s recent New Plan for Immigration, which promises to introduce “safeguards to ensure procedural fairness” as part of a new fast-track asylum appeals process.<sup>413</sup>

Despite its known importance, residents at Napier were not always able to access legal advice before their interview. This reflected wider difficulties in accessing legal advice at the site (see Section 2.5). However, there were also examples of people being given very little notice of their interview, in some cases as little as hours or even minutes.<sup>414</sup> This made preparation, including obtaining legal advice, extremely difficult. As resident Richard recounted:

“I saw people who went for their interviews without speaking to a lawyer first. I thought it was normal, people were getting their interview letters the day before their interview, so they just did it. We didn’t know any different”.<sup>415</sup>

Considering that conditions at Napier had already been found by the High Court to be inadequate and unlawful, it was barrister Shu Shin Lu’s view that the Home Office’s decision to process asylum claims on-site at Napier with no safeguards to ensure proper access to legal advice risked “layering on top of an already unlawful, inadequate arrangements, a... risk of further inadequacy”.<sup>416</sup>

At the time of gathering evidence, all on-site interviews had been conducted via video link. Some people’s interviews had been disrupted by sound quality issues, including one resident who was eventually forced to undertake his interview in the on-site kitchen, essentially in public.<sup>417</sup>

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<sup>410</sup> [Royal College of Psychiatrists](#)

<sup>411</sup> [Jesuit Refugee Service UK \(JRS UK\)](#)

<sup>412</sup> [ILPA](#)

<sup>413</sup> <https://www.gov.uk/government/consultations/new-plan-for-immigration/new-plan-for-immigration-policy-statement-accessible>.

<sup>414</sup> Maddie Harris, Humans for Rights Network, [Oral evidence session 3](#); Royal College of Psychiatrists; [Quaker Asylum and Refugee Network \(QARN\)](#); [Helen Bamber Foundation \(HBF\) – submission 2](#)

<sup>415</sup> Richard, [Oral evidence session 2 – Part 2](#)

<sup>416</sup> Shu Shin Lu, Doughty Street Chambers, [Oral evidence session 1 – Part 1](#)

<sup>417</sup> Sonia Lenegan, ILPA, [Oral evidence session 1 - Part 1](#); Maddie Harris, Humans for Rights Network, [Oral evidence session 3](#)

Respondents were concerned that the combination of issues at Napier could lead to unfair substantive interview outcomes, and questioned the appropriateness of the Home Office ‘trailing’ this new on-site approach to processing claims, given the very significant impact it might have on people’s asylum cases and lives.<sup>418</sup> The Royal College of Psychiatrists pointed out that residents with mental health problems were particularly vulnerable to being treated unfairly since they might be less likely to be fully informed regarding their rights and able to advocate for themselves.<sup>419</sup> They were also concerned that residents with mental health issues whose capacity to make decisions had been impaired might be making “ill-informed decisions” to remain at the site in order to have their claim considered more quickly.<sup>420</sup> The pressure felt by residents to proceed with an interview was highlighted as an issue by other respondents too.<sup>421</sup>

The process was likely to create additional problems for the Home Office further down the line. As ILPA explained: “pushing people through an expedited [asylum] process at short notice without a lawyer - and sometimes even with one - is a good way to guarantee that relevant information will be missed”.<sup>422</sup> JRS UK pointed out that this was likely to result in the Home Office making more incorrect decisions the first time around, leading in turn to an increase in asylum appeals and fresh claims.<sup>423</sup>

JRS UK summed up the situation in relation to asylum claims at the site:

“Everything to do with how the asylum process works at Napier and how it’s explained to residents is chaotic. There’s a lot of uncertainty and confusion around it, and it’s very difficult for people to access the necessary legal and support resources to engage with it... There’s so many layers making [it] problematic”.<sup>424</sup>

#### 2.5.4 Changes to processing of residents’ asylum claims at Napier – Notices of Intent

Following the UK’s departure from the European Union on 31 December 2020, the government introduced new regulations under which they can decide that a person’s asylum claim is

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<sup>418</sup> [Anonymous 1](#); [ILPA](#); [Royal College of Psychiatrists](#); [Helen Bamber Foundation \(HBF\) – submission 2](#); [Maddie Harris](#), Humans for Rights Network, [Oral evidence session 3](#)

<sup>419</sup> [Royal College of Psychiatrists](#)

<sup>420</sup> [Royal College of Psychiatrists](#)

<sup>421</sup> [Dr Sophie Cartwright](#), Jesuit Refugee Service UK (JRS UK), [Oral evidence session 3](#); [Allies for Justice](#)

<sup>422</sup> [Sonia Lenegan](#), ILPA, [Oral evidence session 1 – Part 1](#)

<sup>423</sup> [Jesuit Refugee Service UK \(JRS UK\)](#)

<sup>424</sup> [Dr Sophie Cartwright](#), Jesuit Refugee Service UK (JRS UK), [Oral evidence session 3](#)

“inadmissible” and does not need to be considered.<sup>425</sup> A claim can be deemed “inadmissible” where the person has previously been present in or has a connection to a “safe third country”.<sup>426</sup>

Under the regulations, the person can in theory be returned to that or any other “safe country”.<sup>427</sup> In practice, no such returns have yet taken place,<sup>428</sup> in large part because they require the agreement of the country in question and the government has thus far only reached agreements with two countries, India and Albania.<sup>429</sup> If an agreement to return the person is not secured within six months, their case must be admitted for consideration in the UK.<sup>430</sup>

The first step in the inadmissibility process is for the Home Office to issue the person with a Notice of Intent. This is not a decision; rather it informs the person that the department is considering whether their claim is inadmissible or not.<sup>431</sup>

Some residents at Napier had received Notices of Intent. JRS UK reported that the situation at the time of giving evidence (early July 2021) was “haphazard” and unclear; however, they said it appeared that any resident who had not received an on-site interview by this point was instead being considered by the Home Office for inadmissibility.<sup>432</sup>

JRS UK also warned that many the residents who had received Notices of Intent did not understand what they meant. Moreover, they said that Home Office officials had recently incorrectly told residents with Notices of Intent that their cases had all been deemed inadmissible and that they would not be receiving an asylum substantive interview. This had caused widespread anxiety amongst residents.<sup>433</sup>

More generally, the lack of accurate information about developments with their asylum cases was exacerbating residents’ sense of powerlessness, and adding to their already existing levels of stress.<sup>434</sup>

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<sup>425</sup> <https://www.gov.uk/guidance/immigration-rules/immigration-rules-part-11-asylum>;

<https://www.gov.uk/government/publications/inadmissibility-third-country-cases>

<sup>426</sup> <https://www.gov.uk/guidance/immigration-rules/immigration-rules-part-11-asylum>;

<https://www.gov.uk/government/publications/inadmissibility-third-country-cases>

<sup>427</sup> For more information see <https://righttoremain.org.uk/the-new-asylum-inadmissibility-rules/> and <https://researchbriefings.files.parliament.uk/documents/CBP-9031/CBP-9031.pdf>

<sup>428</sup> See: <https://www.gov.uk/government/statistics/immigration-statistics-year-ending-june-2021/how-many-people-do-we-grant-asylum-or-protection-to#inadmissibility>

<sup>429</sup> <https://committees.parliament.uk/oralevidence/2914/html/>

<sup>430</sup> <https://www.gov.uk/government/publications/inadmissibility-third-country-cases>

<sup>431</sup> <https://www.gov.uk/government/publications/inadmissibility-third-country-cases>

<sup>432</sup> Dr Sophie Cartwright, Jesuit Refugee Service UK (JRS UK), [Oral evidence session 3](#)

<sup>433</sup> Dr Sophie Cartwright, Jesuit Refugee Service UK (JRS UK), [Oral evidence session 3](#)

<sup>434</sup> Dr Sophie Cartwright, Jesuit Refugee Service UK (JRS UK), [Oral evidence session 3](#)

## 2.6 Home Office and contractors’ engagement with external stakeholders

There was concern among respondents about the Home Office and its contractors’ lack of meaningful engagement with external stakeholders.

In November 2020 a group of medical experts, including the British Medical Association, the Royal College of Psychiatrists and the Faculty of Public Health, had written to the Home Secretary warning her of the unsuitability of military sites to accommodate asylum seekers and highlighting the health risks involved, including in relation to Covid-19.<sup>435</sup> The response they received from the government was that public health guidance was being followed and that the sites were Covid-safe.<sup>436</sup> Shortly thereafter, there was a major outbreak of Covid-19 at Napier during which 208 people were infected (see Section 1.4.2).<sup>437</sup>

ILPA described repeatedly requesting a meeting with the Home Office over the course of two months to address the issue of residents being invited to asylum substantive interviews without having had access to legal advice (see Section 2.5.3). They reported that the Home Office refused to accept there was an access issue, and instead asked for the names of the individuals who had been affected. Many residents were very reluctant to be identified however, as they feared that complaining in this way might negatively impact their asylum claim. The Home Office’s insistence on residents coming forward in order to prove there was an issue was therefore “just guaranteeing that [they would] not hear about any problems”.<sup>438</sup>

The Humans for Rights Network explained that there was a monthly one-hour meeting between stakeholders, the Home Office and CRH. In their view, this amount of time was “totally inadequate” given the severity of the situation at the site.<sup>439</sup> They also felt there was a “complete disregard” for the information and concerns they shared with the Home Office and contractors, and a “denial that those issues are even really in existence”.<sup>440</sup>

Respondents also reported resistance to scrutiny and information-sharing by the Home Office. In November 2020 volunteers at Napier had been asked to sign confidentiality agreements before entering the site. The agreements were underpinned by the Official Secrets Act, whose principal purpose is to protect matters of national security and a breach of which is punishable by a prison

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<sup>435</sup> Letter available at: [https://www.doctorsoftheworld.org.uk/wp-content/uploads/2020/11/Letter-on-the-use-of-MoD-sites-as-accommodation\\_26.11.2020.pdf](https://www.doctorsoftheworld.org.uk/wp-content/uploads/2020/11/Letter-on-the-use-of-MoD-sites-as-accommodation_26.11.2020.pdf)

<sup>436</sup> Dr Yusuf Cifti, Doctors of the World (DOTW), [Oral evidence session 1 – Part 2](#)

<sup>437</sup> <https://committees.parliament.uk/publications/7154/documents/75616/default/>

<sup>438</sup> Sonia Lenegan, ILPA, [Oral evidence session 1 – Part 1](#)

<sup>439</sup> Maddie Harris, Humans for Rights Network, [Oral evidence session 3](#)

<sup>440</sup> Maddie Harris, Humans for Rights Network, [Oral evidence session 3](#)

sentence. Signing the agreements would have prevented the volunteers from raising concerns externally about residents' welfare.<sup>441</sup>

More recently JRS UK and the Humans for Rights Network said they had been requesting the Covid-19 risk assessment for Napier for some time, but had now been told that they would not receive it.<sup>442</sup> The information was necessary for their own organisations' risk planning, and they were unclear why it could not be shared with them. JRS UK told the APPG Inquiry that it was "quite a practical and necessary and one would think relatively uncontroversial piece of information. But it's not forthcoming".<sup>443</sup>

There was also concern regarding the alerting of charities and volunteers working with residents to possible positive Covid cases on-site. CRH told the APPG Inquiry that they contacted external organisations to advise them of any Covid cases at the sites.<sup>444</sup> Evidence from respondents contradicted this however, saying that the provision of information about positive cases at Napier was "haphazard"<sup>445</sup> and "chaotic",<sup>446</sup> with no protocol in place on how information would be shared and residents rather than on-site contractors providing updates.<sup>447</sup>

Overall, stakeholder respondents expressed deep frustration at the lack of engagement and openness on the part of the Home Office and contractors. It was pointed out that a willingness to engage earlier in a meaningful way, and to be transparent, provide information and receive feedback could have reduced the problems experienced by residents at the sites.<sup>448</sup>

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<sup>441</sup> [Anonymous 2 – submission 1](#); see also <https://www.theguardian.com/uk-news/2020/nov/23/home-office-accused-of-cover-up-at-camp-for-asylum-seekers>

<sup>442</sup> Dr Sophie Cartwright, Jesuit Refugee Service UK (JRS UK), [Oral evidence session 3](#); Maddie Harris, Humans for Rights Network, [Oral evidence session 3](#)

<sup>443</sup> Dr Sophie Cartwright, Jesuit Refugee Service UK (JRS UK), [Oral evidence session 3](#)

<sup>444</sup> [Clearsprings Ready Homes – submission on Napier](#)

<sup>445</sup> [Anonymous 2 – submission 2](#)

<sup>446</sup> Dr Sophie Cartwright, Jesuit Refugee Service UK (JRS UK), [Oral evidence session 3](#)

<sup>447</sup> Dr Sophie Cartwright, Jesuit Refugee Service UK (JRS UK), [Oral evidence session 3](#)

<sup>448</sup> Sonia Lenegan, ILPA, [Oral evidence session 1 – Part 1](#)

## Section 3: Evidence presented – Tinsley House IRC

As explained in Section 1.4.4, for a period of approximately one month in early 2021 Tinsley House IRC was used as asylum accommodation for 13 Napier residents arrested in connection with the fire at the site in late January. None of the men were subsequently charged.<sup>449</sup>

### 3.1 Transfers

Gatwick Detainees Welfare Group (GDWG) supported the men while they were at the IRC. They reported serious concerns about how transfers to the site were conducted. The men were taken “suddenly, without their belongings and with no warning”, mirroring the experience of detainees.<sup>450</sup> They arrived with only the clothes they were wearing, and some did not have medication, mobile phones and chargers, or personal items such as photographs.<sup>451</sup>

Despite intervention from charities to retrieve these items, it took two weeks to return property and some never received their belongings. The experience left the men feeling “dehumanised... unable to even change their clothes”.<sup>452</sup>

JRS UK told the APPG Inquiry it understood that the men transferred to Tinsley House had been involved in speaking out against the conditions at Napier. They believed there was a possibility that the Home Office’s decision to send the men to the IRC was in some way “a punitive measure” following the men protests.<sup>453</sup>

### 3.2 Vulnerability and safeguarding of residents

Being placed at Tinsley House had a detrimental impact on people’s mental health. Medical Justice found that many of the residents had pre-existing mental health conditions, which were exacerbated by being at the IRC. They also found residents to be experiencing low mood, loss of enjoyment and interest, exhaustion, poor and disrupted sleep, and feelings of worthlessness and hopelessness.<sup>454</sup> GDWG described them having problems with sleeping, anxiety, depression, and

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<sup>449</sup> Jesuit Refugee Service UK (JRS UK)

<sup>450</sup> Gatwick Detainees Welfare Group (GDWG)

<sup>451</sup> Gatwick Detainees Welfare Group (GDWG)

<sup>452</sup> Gatwick Detainees Welfare Group (GDWG)

<sup>453</sup> Jesuit Refugee Service UK (JRS UK)

<sup>454</sup> Medical Justice

thoughts of self-harm.<sup>455</sup> Matthew Gold & Co. Solicitors, who represented men placed at Tinsley, reported one client texting “late at night expressing suicidal thoughts: if we didn't get him out of there, he couldn't go on”.<sup>456</sup>

Safeguarding measures at the IRC were “wholly inadequate”.<sup>457</sup> Since the site was operating as an IRC, the residents placed there were not formally classified as detainees and did not have access to the safeguards that normally exist for people held under immigration powers (for details of these, see Section 2.1.2). GDWG reported for example contacting Tinsley House to ask them to carry out welfare checks on several individuals who had disclosed of thoughts of self-harm. This was a request that GDWG regularly made for immigration detainees; in this case, however, staff reportedly agreed to carry out the checks and to “keep an eye” on the men to try and prevent suicide attempts, but indicated that they were not responsible for the men’s welfare.<sup>458</sup>

The Association of Visitors to Immigration Detainees (AVID) explained that the sudden re-classification of the site as asylum accommodation left those placed there “unsure of their rights”, and those supporting them “unclear about accountability, scrutiny, and availability of services”.<sup>459</sup> This meant that volunteer visitors who would normally support those held inside an IRC by signposting them to safeguarding mechanisms or support, could not do so.

Matthew Gold & Co. Solicitors reported that the men at Tinsley House were only transferred out of the site after judicial review pre-action protocol letters were sent by their legal representatives.<sup>460</sup> It was not clear how the men would otherwise have left, despite being very vulnerable.

### 3.3 Conditions at the site

#### 3.3.1 Geographical and social isolation

Tinsley House IRC is situated between Gatwick Airport and a motorway. This setting, coupled with a lack of money for transport and mobile phone data for navigation, made it very difficult for the residents to leave the site.<sup>461</sup>

The men at Tinsley House were allowed to use smartphones at the site. However, some arrived without their phones or none had access to phone chargers. GDWG, rather than the IRC,

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<sup>455</sup> [Gatwick Detainees Welfare Group \(GDWG\)](#)

<sup>456</sup> Clare Jennings, Matthew Gold & Co. Solicitors, [Oral evidence session 1 – Part 1](#)

<sup>457</sup> [Gatwick Detainees Welfare Group \(GDWG\)](#)

<sup>458</sup> [Gatwick Detainees Welfare Group \(GDWG\)](#)

<sup>459</sup> [Association of Visitors to Immigration Detainees \(AVID\)](#)

<sup>460</sup> Clare Jennings, Matthew Gold & Co. Solicitors, [Oral evidence session 1 – Part 1](#)

<sup>461</sup> [Gatwick Detainees Welfare Group \(GDWG\)](#)

eventually provided the men with mobile phones, sim cards and chargers where needed.<sup>462</sup> GDWG pointed out that without intervention by them, an external charity, the men would have been left at the site without any means of communication.<sup>463</sup>

The men were also not allowed to access the wi-fi service at the site, leaving them reliant on mobile phones for internet access, which was difficult given the cost of data and poor signal at the site.<sup>464</sup> This combination of factors had an isolating effect on the residents, inhibiting contact with legal representatives, other services, family, friends and wider support networks.<sup>465</sup>

Medical Justice noted that, unlike detainees, the men also did not have access to the Skype room at Tinsley House. This made it harder for their doctors to carry out medical assessments, which were at that time being conducted remotely. Instead, they had to rely on residents' using their smartphones, often with poor reception.<sup>466</sup>

### 3.3.2 Detention-like setting and restrictions on residents' movements

Tinsley House is a purpose-built IRC and has a similar security level as a prison.<sup>467</sup> It has all the features associated with this, including a barbed wire perimeter fence, locked doors and gates, CCTV, opaque windows, and furniture bolted to the floor.<sup>468</sup>

Residents were also subject to restrictions on their movements, which added to the detention-like setting. Upon arrival at Tinsley House, the men were required to quarantine for 10 days and not allowed to leave the site. The quarantine requirement was not clearly communicated with the men at first, and as a result many believed that they were in fact detained.<sup>469</sup> They were also not told that they could leave the site during quarantine for certain reasons such as to seek medical attention; as such, in the view of Matthew Gold & Co. Solicitors it was likely that the High Court ruling on unlawful detention in *NB & Ors* would “almost certainly” apply to residents at Tinsley House as well.<sup>470</sup>

After completing their quarantine period, the residents were told by staff that they could “come and go as they please”.<sup>471</sup> In practice however, there were many obstacles preventing residents from leaving the site. These included the need to pass through a number of locked internal doors and gates in order to reach the outside, and to provide their name to staff, which was then

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<sup>462</sup> [Gatwick Detainees Welfare Group \(GDWG\)](#); [Medical Justice](#)

<sup>463</sup> [Gatwick Detainees Welfare Group \(GDWG\)](#); [Medical Justice](#)

<sup>464</sup> [Gatwick Detainees Welfare Group \(GDWG\)](#)

<sup>465</sup> [Gatwick Detainees Welfare Group \(GDWG\)](#)

<sup>466</sup> [Medical Justice](#)

<sup>467</sup> [Association of Visitors to Immigration Detainees \(AVID\)](#)

<sup>468</sup> Clare Jennings, Matthew Gold & Co. Solicitors, [Oral evidence session 1 – Part 1](#)

<sup>469</sup> [Gatwick Detainees Welfare Group \(GDWG\)](#)

<sup>470</sup> Clare Jennings, Matthew Gold & Co. Solicitors, [Oral evidence session 1 – Part 1](#)

<sup>471</sup> [Gatwick Detainees Welfare Group \(GDWG\)](#)



logged.<sup>472</sup> Furthermore, residents were told that if they did not return to the site by 10pm each night, the police would be called. This effectively subject them to a curfew.<sup>473</sup>

Mathew Gold & Co. Solicitors, who represented some of the men placed at Tinsley House, questioned the decision to use an IRC as accommodation:

“They felt like they were in prison because that's exactly where they were. ... If a person who approaches the local authority is homeless..., you wouldn't put them in a prison because it happened to [have] some spare beds there”.<sup>474</sup>

### 3.3.3 Lack of privacy

Residents also experienced a lack of privacy at the site. They described how Tinsley House staff were “always watching” them; this included staff patrolling the site and monitoring by CCTV cameras, which GDWG believed were still in place and in use at Tinsley House when the men were accommodated there.<sup>475</sup>

### 3.3.4 Impact of conditions on residents

Organisations working in detention drew clear similarities between the harm that immigration detention causes and the harm caused to the men held in Tinsley House. Medical Justice found the “prison-like setting” and “relative social isolation” triggered memories of previous traumatic experiences for some residents, causing a deterioration in their mental health.<sup>476</sup>

Many of the men reported that the conditions at Tinsley House were exacerbating their mental health problems and “causing a great deal of mental distress”.<sup>477</sup> The men also told GDWG that they found being placed in an IRC, which they knew was used for deporting people from the country, “disturbing”.<sup>478</sup>

## 3.4 Access to healthcare

Residents were presented with a letter from Tinsley House's operator G4S stating that because the IRC had been re-classified, the provision of healthcare was “not required on site”. Instead they

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<sup>472</sup> [Gatwick Detainees Welfare Group \(GDWG\); Jesuit Refugee Service UK \(JRS UK\)](#)

<sup>473</sup> [Medical Justice](#)

<sup>474</sup> Clare Jennings, Mathew Gold & Co. Solicitors, [Oral evidence session 1 – Part 1](#)

<sup>475</sup> [Gatwick Detainees Welfare Group \(GDWG\)](#)

<sup>476</sup> [Medical Justice](#)

<sup>477</sup> [Gatwick Detainees Welfare Group \(GDWG\)](#)

<sup>478</sup> [Gatwick Detainees Welfare Group \(GDWG\)](#)

were told they should contact their registered GP, 111, 999, or visit walk-in centre or local pharmacy.<sup>479</sup>

Medical Justice pointed out the inappropriateness of this approach given that all the residents placed at Tinsley House were known to be new to the area so would not be registered with a local GP, and that the only local GP surgery had closed its list to new patients.<sup>480</sup> They did not receive any support from the Home Office or IRC staff to register, which was difficult for them anyway since it required identification documents which many did not have.<sup>481</sup> GDWG reported that none of the men successfully registered with a local GP during their time at Tinsley House.<sup>482</sup>

The lack of responsibility for healthcare was particularly concerning given the high-risk mental health conditions and particular vulnerabilities that individuals placed at Tinsley House were found to have.<sup>483</sup>

### 3.5 Access to legal support

There was no provision of legal support for the residents placed at Tinsley House and there were few asylum legal aid lawyers in the local area.<sup>484</sup> Instead, the men at the IRC had to rely on charities to connect them with legal firms. As GDWG pointed out, if the charities had not been so proactive, the residents “could have been left without any support at all”.<sup>485</sup>

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<sup>479</sup> For a copy of the letter, see Annex in [Medical Justice](#)

<sup>480</sup> [Medical Justice](#)

<sup>481</sup> [Gatwick Detainees Welfare Group \(GDWG\)](#)

<sup>482</sup> [Gatwick Detainees Welfare Group \(GDWG\)](#)

<sup>483</sup> [Medical Justice](#)

<sup>484</sup> [Gatwick Detainees Welfare Group \(GDWG\)](#)

<sup>485</sup> [Gatwick Detainees Welfare Group \(GDWG\)](#)

## Section 4: Conclusions and recommendations

### 4.1 Conclusions

On 30 September 2020, just one week after it began sending people seeking asylum to Napier Barracks and Penally Camp, the government published its “Response to the Windrush Lessons Learned Review: a comprehensive improvement plan”. In it, the Home Secretary spoke of her ambition to build “a fairer, more compassionate Home Office that puts people first and sees the ‘face behind the case’”.<sup>486</sup>

Given the evidence collected during this APPG Inquiry, it is impossible to see how the use of quasi-detention sites like Napier, Penally, Tinsley House and others can be reconciled with this welcome ambition. The APPG Inquiry has heard how residents have been forced to live in appalling conditions, and how their mental health in particular has deteriorated, in some cases to the point of suicidality, during their stays. The government has overseen numerous operational failings at the sites, despite repeated warnings from inspectors, the High Court and others about how badly things have gone wrong. It accepts that the sites are not suitable environments for vulnerable people, yet has allowed such individuals to be sent to and remain at them, including unaccompanied age-disputed children, people who are self-harming and attempting suicide, and victims of torture, trafficking and other serious abuses.

No person fleeing persecution and danger should be treated in this way. The APPG Inquiry Panel welcomes the fact that Penally Camp or Tinsley House are no longer in use as asylum accommodation, and that plans for Barton Stacey and Yarl’s Wood appear to have been halted. But it is deeply concerned that Napier Barracks continues in operation.

It is clear that there are certain features inherent to quasi-detention sites – and other large-scale, institutional settings – which jeopardise the mental health and wider well-being of the people seeking asylum accommodated there, and make them fundamentally unsuitable for use as asylum accommodation. Many of these have been highlighted in the evidence received, including in particular the re-traumatising effects the sites can have on people who have previously experienced violence and abuse.

Changes have been made at Napier in recent months, but based on the evidence received during this APPG Inquiry - including the distressing testimonies from people still accommodated at the site – the changes fall far short of the “substantial improvements” required by the High Court in its ruling in June 2021.<sup>487</sup> Such disregard on the part of the government for the findings of the Court and, more importantly, for the safety and well-being of vulnerable people whom it has duty to protect is simply unacceptable.

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<sup>486</sup> <https://www.gov.uk/government/publications/windrush-lessons-learned-review-response-comprehensive-improvement-plan>

<sup>487</sup> *NB & Ors*

The APPG Inquiry Panel strongly opposes the government’s planned introduction of ‘accommodation centres’ to house people seeking asylum, as proposed in the Nationality and Borders Bill currently making its way through Parliament. The government has now confirmed that Napier may act as a test-run for such centres; it therefore offers a concerning indication of what might be expected from them.

It is well-known that there is an urgent need for more asylum accommodation in the UK. But this Inquiry has shown that the use of quasi-detention facilities – and other large-scale, institutional settings - is not, and can never be, an effective or appropriate solution to this problem. The profound harm inflicted on people at Napier, Penally and other similar sites is clear from the evidence collected. It cannot be allowed to continue, let alone expanded.

In light of this, the APPG Inquiry Panel makes the recommendations to the government laid out below.

## 4.2 Recommendations

- 1) In relation to current or former quasi-detention sites, the government must ensure:
  - a) Napier Barracks is closed as asylum accommodation with immediate and permanent effect, and that people seeking asylum accommodated at Napier are moved directly to decent, safe housing in the community that allows them to live with dignity
  - b) Penally Camp remains closed as asylum accommodation and is not used for that purpose at any point in the future
  - c) Tinsley House IRC remains closed as asylum accommodation and neither it nor any other IRC is used for that purpose at any point in the future
  - d) No other sites of a military nature or adjacent to IRCs, including those at Barton Stacey and Yarl’s Wood, are opened as asylum accommodation
- 2) In relation to asylum system more widely, the government must ensure:
  - a) People seeking asylum are housed in decent, safe accommodation in the community that supports their well-being and recovery from trauma, facilitates their engagement with the asylum process, and allows them to build links with their community
  - b) Key elements of the asylum process, including the substantive interview, are conducted promptly and in an environment that allows disclosure of sensitive information and access to legal and other necessary support
- 3) The APPG Inquiry Panel is strongly opposed to the introduction of ‘accommodation centres’ to house people seeking asylum, as proposed in the Nationality and Borders Bill.

In the event that accommodation centres are introduced, however, the government must ensure:

- a) None of the shortcomings identified in this report are replicated at the new centre(s)
- b) No centre is opened without the consent of the local authority and meaningful consultation with all relevant stakeholders
- c) Effective safeguards are in place such that no vulnerable people are accommodated at the centre(s)
- d) Residents are assured a safe environment that meets a minimum standard of decency,<sup>488</sup> including protection from harassment and abuse
- e) Residents are assured unimpeded access to healthcare, including mental healthcare
- f) Residents are assured unimpeded access to legal advice and support, and access to an effective appeals process to challenge their placement in the centre
- g) Residents are accommodated at the centre(s) for the minimum possible time
- h) Robust and effective mechanisms are in place to monitor the performance of any private contractors
- i) An independent statutory inspection regime is in place.

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<sup>488</sup> An example of what a minimum standard of decency might look like is the Scottish Housing Quality Standard: <https://www.gov.scot/policies/social-housing/improving-standards/>

# Appendix 1: Details of evidence submitted to the Inquiry

## Call for written evidence

The following call for written evidence was issued on 7 May 2021 with a deadline of 25 June 2021:

The APPG invites individuals and organisations with relevant information to submit written evidence to the Inquiry.

Written evidence submissions **should focus on the use of former military facilities (Penally Camp, Napier Barracks and RAF Coltishall); ‘de-designated’ IRCs (Tinsley House IRC) and any additional proposed similar sites (site adjacent to Yarl’s Wood IRC; site at Barton Stacey).** For reasons of scope, the use of hotels and other forms of accommodation will not be covered by the Inquiry.

**Submissions should answer the questions below.** You do not need to answer all questions in your submission – just those about which you or your organisation have relevant information.

1. Who has been / is being accommodated at the site(s) and for how long?
2. What are the key features of the site(s) that generate concern, and how do these features impact on residents, with regard in particular to their:
  - Physical health?
  - Mental health?
  - Ability to access legal advice, to challenge their placement in such accommodation, and to exercise their right to claim asylum?
  - Ability to access specialist support e.g. for victims of trafficking, age disputed minors, etc?
3. What mechanisms, if any, exist at the site(s) to identify and safeguard vulnerable people, and are these mechanisms adequate?
4. What changes, if any, have been observed in the way that the asylum/immigration claims of residents at the site(s) are being processed, and what implications might these changes have?
5. What questions arise with regard to the lawfulness of the site(s)?

6. What effect do the site(s) and any changes in processing observed at them have on the known backlog of pending asylum claims and the number of people seeking asylum left 'in limbo'?
7. What recommendations (both short-term and long-term) do you have for the government regarding the site(s) and others like them?
8. Any other issues generating concern not covered by the above?

The APPG welcomes submissions from a range of stakeholders, including but not limited to: current/former residents of the sites; other experts-by-experience; statutory monitoring bodies; local authorities; health providers; non-governmental organisations (NGOs), and law firms.

## Written evidence submissions

The Inquiry received 26 written evidence submissions from the following participants. In some cases, participants made more than one submission.

- Allies for Justice
- Anonymous 1
- Anonymous 2
- Association of Visitors to Immigration Detainees (AVID)
- Bail for Immigration Detainees (BID)
- Clearsprings Ready Homes (CRH)
- Doctors of the World (DOTW)
- Freedom from Torture
- Gatwick Detainees Welfare Group (GDWG)
- Helen Bamber Foundation (HBF)
- Immigration Law Practitioners' Association (ILPA)
- Jesuit Refugee Service UK (JRS UK)
- Matthew Gold & Co. Solicitors
- Medical Justice
- Migrant Help
- Quaker Asylum and Refugee Network (QARN)
- Royal College of Psychiatrists
- René Cassin
- Shu Shin Lu - Barrister, Doughty Street Chambers
- Dr Susanne Jaspars
- Welsh Refugee Coalition
- Welsh Refugee Council

## Oral evidence sessions

The APPG Inquiry Panel held three oral evidence sessions in July 2021:

### **Session 1: Legal and health issues** (Thursday 1 July 2021, 10.00 - 12.00)

- Part One – Legal issues

Witnesses:

- Clare Jennings – Director and Head of Public Law and Community Care, Matthew Gold & Co. Solicitors
- Sonia Lenegan – Legal Director, Immigration Law Practitioners’ Association
- Shu Shin Luh – Barrister, Doughty Street Chambers
- Sue Willman – Solicitor / Consultant, Deighton Pierce Glynn Law

- Part Two – Health issues

Witnesses:

- Dr Yusuf Cifti – Policy and Advocacy Manager, Doctors of the World
- Dr Juliet Cohen – Head of Doctors, Freedom from Torture
- Dr Jill O’Leary – GP / Head of Medical Advisory Service, Helen Bamber Foundation
- Dr Piyal Sen – Member, Working Group on the Mental Health of Asylum Seekers and Refugees, Royal College of Psychiatrists

### **Session 2: Current and former residents at Napier Barracks and Penally Camp** (Monday 5 July 2021, 13.30 - 15.30)

- Part One – Former residents<sup>489</sup> at Napier Barracks and Penally Camp

Witnesses:

- Erfan – former resident at Napier Barracks
- Kenan – former resident at Penally Camp
- Milad – former resident at Napier Barracks

- Part Two – Currents residents<sup>490</sup> at Napier Barracks

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<sup>489</sup> Surnames removed to protect individuals’ identities.

<sup>490</sup> Names changed to protect individuals’ identities.



**Witnesses:**

- Victor – former resident at Napier Barracks
- Edward – current resident at Napier Barracks
- Alexander – current resident at Napier Barracks
- Oscar – current resident at Napier Barracks
- Andreas – current resident at Napier Barracks
- Richard – former resident at Napier Barracks
  
- Naomi Blackwell – Detention Outreach Manager, Jesuit Refugee Service UK
- Maddie Harris – Director and Founder, Humans for Rights Network

**Session 3: Organisations supporting residents at Napier Barracks** (Monday 12 July 2021, 13.00 - 14.30)

**Witnesses:**

- Dr Sophie Cartwright – Senior Policy Officer, Jesuit Refugee Service UK
- Maddie Harris – Director and Founder, Humans for Rights Network