



## END CHILD DETENTION NOW

A citizens' campaign to end the scandal of child detention by the UK immigration authorities

**OurKingdom**

power & liberty in Britain



# OurKingdom: DOSSIER II

**FIVE YEARS OF DENIAL:** the UK government's reckless pursuit of a punitive asylum policy - never mind the evidence of harm

By Clare Sambrook, coordinator of End Child Detention Now\*  
*Wednesday 15 December 2010*

*As Nick Clegg prepares to make a statement that will either end the scandal of child detention by the immigration authorities, or make the deputy prime minister a mere bagman for more Home Office trickery, Clare Sambrook gathers five years of evidence that the Home Office has variously ignored, badmouthed and buried.*

## **FIVE YEARS OF DENIAL: The UK government's reckless pursuit of a punitive asylum policy — never mind the evidence of harm**

By **Clare Sambrook**, coordinator of *End Child Detention Now*\*  
Wednesday 15 December 2010

Maybe deputy prime minister Nick Clegg is poised to end for good the scandal of child detention by the immigration authorities in his pre-Christmas statement. Maybe not.

Perhaps they're making Clegg the bagman for the latest load of Home Office trickery regarding a policy that for years has been characterised by both brutality and deceit. I hope not.

The UK government has knowingly harmed between 1000 and 2000 children of asylum-seekers every year, sending dawn hit squads to raid family homes, search children in their beds and lock them up (sometimes for weeks and months) in places known to harm their mental and physical health. All in the name of 'border control', driven by a political desire to look tough on immigration — and executed in venal disregard of a startling truth that the UK Border Agency let slip in evidence to Parliament last year: absconding is not an issue. (Source: [Hansard](#))

The citizens' campaign End Child Detention Now has gathered some of the compelling research that the Home Office has variously ignored, misrepresented and buried these past five years. The research provides irrefutable evidence of damage done to children by detention and by other harmful and state-sanctioned practices.

Some of this research years ago offered viable alternatives to detention that the government chose to ignore, preferring dangerous and punitive practices that made politicians look tough — at the expense of children's health and sanity.

Some of the authors whose work is represented here — respected academics and hard-working physicians — have endured Home Office attempts to undermine their work and trash their professional reputation.

A selection of the government's countless routine denials and misrepresentations (there is insufficient time and space for all of them) appears below — **in purple**.

End Child Detention Now calls upon the coalition government to break away from ideologically-driven asylum policy, free the Home Office from Phil Woolas-style [‘galvanise the white Sun vote’](#) thinking and pursue a proper asylum policy based on evidence, embracing respect for human rights and human dignity. The immediate end of child detention is essential but it is only the first step of a long walk towards decency.

- 1. Series of reports by Professor Sir Al Aynsley-Green: first Children’s Commissioner for England 2005 to 2010**
- 2. Other Compelling Research 2005 to 2010**

**Series of reports by Professor Sir Al Aynsley-Green:  
first Children's Commissioner for England 2005 to 2010**

**An announced visit to Yarl's Wood Immigration Removal Centre  
31st October 2005**

By Professor Sir Al Aynsley-Green, Children's Commissioner  
Download the report [here](#).

**Claiming asylum at a screening unit as an unaccompanied child**

"You don't know what to answer..." Ali, aged 16 from Afghanistan

**March 2008**

By Professor Sir Al Aynsley-Green, Children's Commissioner  
Download the report [here](#).

**The Children's Commissioner's findings and recommendations  
regarding the care of unaccompanied asylum seeking children in  
the London Borough of Hillingdon**

**March 2008**

By Professor Sir Al Aynsley-Green, Children's Commissioner  
Download the report [here](#).

**'Unethical age assessment', British Dental Journal, Volume 206,  
No. 7, p337.**

**11 April 2009**

By Professor Sir Al Aynsley-Green,

'I and key professional bodies representing paediatricians, radiologists  
and dentists have strenuously opposed the Government's wish to  
recommend the routine X-raying of children for age assessment . . .

The method is inaccurate, not fit for purpose proposed, unethical and  
potentially unlawful.

Article is [here](#).

## **The Arrest And Detention of Children Subject to Immigration Control:**

**A report following the Children's Commissioner for England's visit to Yarl's Wood Immigration Removal Centre**

**24 April 2009**

By Professor Sir Al Aynsley-Green, Children's Commissioner

Download the report [here](#).

The report said: 'Children at Yarl's Wood told us of the emotional impact of detention, describing it as being like a prison and sharing with us their feelings of loss and anxiety. These include the loss of belongings, pets, absence of contact with friends and the impact of a lack of general unfamiliarity and change in routine.'

**UK Government response:** Immigration minister Phil Woolas said: 'We only detain those who refuse to comply with the decision of the courts and do not leave Britain voluntarily. The report overlooks this vital point. If people refuse to go home, then detention becomes a necessity. We don't want to split up families, so we hold children with their parents, and while they are in our care we treat them with sensitivity and compassion. We now have full-time independent social workers, and a range of trained experts to monitor welfare 24 hours a day.'

Source [here](#).

### **What was immigration minister Phil Woolas's true agenda?**

In November 2010 Phil Woolas was ejected from Parliament after two high court judges ruled that he had lied about his Lib Dem General Election opponent, claiming he had 'wooded' so-called 'Muslim extremists'. Confidential emails among Woolas's team included the line: 'If we don't get the white folk angry he [Woolas] is gone.'

Source [here](#).

## **The Children's Commissioner for England's follow up report to: The arrest and detention of children subject to immigration control**

**February 2010**

By Professor Sir Al Aynsley-Green, Children's Commissioner

According to this report, Serco nurses filling in medical forms routinely described children's emotional state as 'jolly' and 'happy'. Many children were sent unvaccinated to areas where TB is prevalent and measles and malaria endemic. More than a year after Aynsley-Green suggested it, the provision of bed nets was 'still under consideration'. About one Yarl's Wood child whose mother had been raped in Africa and was hepatitis B positive, Serco nurses wrote under family history, 'nil of note'.

Download the report [here](#).

**UK Government response:** Home Office issued a 'response to criticism' including direct statements, 'not to be attributed as direct statements', that misrepresent AA-G's report in order to undermine public confidence in its accuracy. Source [here](#).

## Other Compelling Research 2005 to 2010

### **No Place for a Child: Children in UK immigration detention — Impacts, alternatives and safeguards February 2005**

By Dr Heaven Crawley and Trine Lester

This report estimated that around 2,000 children were detained with their families every year for the purpose of immigration control. In the cases studied, duration varied from 7 days to 268 days. Half of all cases studied were detained for more than 28 days. Children's mental health suffered lasting effects; they experienced poor diet, lack of sleep, persistent coughing, inadequate education. Age-disputed children were at risk of abuse, especially young people detained with adults in communal sleeping facilities.

Download summary [here](#).

**UK Government response:** A Home Office spokesman said: 'Detention of families is kept to a minimum and is subject to frequent and rigorous review. Very few families are detained for more than just a few days.'

Source [here](#).

### **'Child first, migrant second: ensuring that every child matters'**

includes a chapter on alternatives to detention

#### **February 2006**

By Dr Heaven Crawley for the Immigration Law Practitioners' Association

Highlights UK's lack of a multi-agency coordinated approach to migrant children.

Download [here](#).

## **Alternatives to immigration detention of families and children July 2006**

A discussion paper by John Bercow MP, Lord Alf Dubs and Evan Harris MP for the All Party Parliamentary Groups on Children and Refugees

This report said detention 'makes a mockery of child rights legislation', and 'runs contrary to the United Nations Convention on the Rights of the Child (UNCRC) – though the Government's existing reservation to the UNCRC in relation to immigration means that children are excluded from its protection.'

The authors said: 'There is a broad consensus that locking children up with their families is inherently harmful and to be avoided wherever possible. There is no evidence to suggest families abscond when the threat of detention or removal looms. However, there is a growing body of evidence that more families return to their country of origin of their own accord when they can trust that the system protects those who need protection and where more support and information is available to families planning return.'

Download [here](#).

## **When is a child not a child? Asylum, age disputes and the process of age assessment May 2007**

By Dr Heaven Crawley, Centre for Migration Policy Research, Swansea Uni, for Immigration Law Practitioners' Association (ILPA) with foreword by Professor Sir Al Aynsley-Green, Children's Commissioner

Demonstrates that Home Office policy — treating age-disputed children as adults until their age can be verified — places already vulnerable children at significant risk, and leads to separated children being detained in contradiction of government policy. Highlights conflict of interest built in to the system, with social workers who will later support a child also carrying out preliminary assessments.

Summary [here](#).

**UK Government response:** Government proposed greater use of dental x-rays to determine age, despite the fact that X-rays can't determine age and use of X-rays for non-therapeutic purposes is anyway unethical. Govt set up a working group on age assessment then disbanded it when it failed to support the government's line on X-rays.

[Source here](#).



## **Outsourcing Abuse - The use and misuse of state-sanctioned force during the detention and removal of asylum seekers July 2008**

by Birnberg Peirce & Partners, Medical Justice and NCADC

Describes alarming number of injuries sustained by asylum deportees at the hand of private 'escorts' contracted by the Home Office. Reveals evidence of widespread and seemingly systemic abuse and that assault claims largely brushed off by the Home Office.

Download report [here](#).

**What happened next?** The government commissioned Dame Nuala O'Loan to make independent inquiries. Reporting in March 2010, O'Loan said there was, 'inadequate management of the use of force by the private sector companies', and made 22 recommendations for change.

**UK Government response:** UKBA chief executive Lin Homer attacked the doctors and lawyers who had brought these matters to light, accusing them (in her foreword to O'Loan's report) of 'seeking to damage the reputation of our contractors'.

**What happened after that?** In October 2010 Jimmy Mubenga died while being 'restrained' by private escorts employed by G4S, one of the Home Office contractors named in Outsourcing Abuse. O'Loan's report appears to be no longer available on-line.

[Source here](#).

**Memorandum by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe  
Following his visits to the United Kingdom on 5-8 February and 31 March-2 April 2008**

In this shaming indictment of UK asylum policy, Thomas Hammarberg expressed deep concern about, among other things, the 'serious reduction of legal aid provided to asylum seekers'. Hammarberg said the law should 'expressly proscribe' the 'fast-tracking' of especially vulnerable people, and strongly opposed the British practice of trusting diplomatic assurances from 'countries with long-standing, proven records of torture and ill-treatment.'

'Celerity and quality of decision-making in the complex field of refugee law and protection are rarely a matching pair,' he said, urging the government to consider the risks to the quality of asylum decision-making before speeding up the process any further.

Download [here](#).

**UK Government response:** Giving Hammarberg the finger — 'We deport someone every eight minutes,' boasted home office minister Meg Hillier, out campaigning in Barking and Dagenham — government further accelerated the process and swept away much of the very little legal assistance available to asylum seekers in 2008.

Hillier [source](#).

**The mental and physical health difficulties of children held within a British immigration detention center: A pilot study  
October 2009**

peer-review journal Child Abuse & Neglect 33 (2009) 573–585

By NHS paediatricians and psychologists, Ann Lorek et al.

This extremely disturbing report describes children's 'increased fear due to being suddenly placed in a facility resembling a prison', their weight loss and tummy pains, how older children were so stressed they wet their beds and soiled their pants.

Lorek et al describe the photographing and the fingerprinting, the roll calls and the body searches, the ID cards that children must carry at all times, the ten locked doors between freedom and the family centre, the steep deterioration in parents' mental health and parenting abilities, the self-harm and the suicide attempts.

**UK Government response:** David Wood, UKBA's head of criminality and detention, told MPs: 'The study was undertaken without any reference to the UK Border Agency or its clinicians.'

Not true. Home Office documents attest to the discussions that took place.

[Source](#).

## **Significant Harm - the effects of administrative detention on the health of children, young people and their families;**

Intercollegiate Briefing Paper By The Royal Colleges of Paediatrics and Child Health, General Practitioners and Psychiatrists and the UK Faculty of Public Health

**10 December 2009**

Describes the significant harms to the physical and mental health of children and young people in the UK who are subjected to administrative immigration detention. Argues that such detention is unacceptable and should cease **without delay**. 'Almost all detained children suffer injury to their mental and physical health as a result of their detention, sometimes seriously.'

Download [here](#).

**UK Government response:** David Wood, UKBA's head of criminality and detention said: 'Treating children with care and compassion is a priority.'

[Source here](#).

## **Bedfordshire Local Safeguarding Children Board (LSCB) Independent Review, Child A and Child B, placed with family at immigration removal centre**

**June 2010**

Concerning a case of sexual activity between unrelated children at Yarl's Wood (the words 'Yarl's Wood' appear nowhere in the report), this executive summary describes safeguarding failures by:

- Bedford Borough Council and Central Bedfordshire Council;
- SERCO and SERCO Healthcare;
- Bedfordshire police;
- UK Border Agency;
- The Office of the UKBA's Children's Champion;
- UKBA's Family Detention Unit;
- UKBA's 'independent' social workers and
- UKBA's contract management team.

Publication of full report withheld.

Download summary [here](#).

**UK Government response:** David Wood, UKBA's head of criminality and detention, said: 'The government is carrying out its review of child detention, which will be concluded within weeks.' [Source here](#).

And it wasn't.

## **Becoming vulnerable in detention: Civil Society Report on the Detention of Vulnerable Asylum Seekers and Irregular Migrants in the European Union (The DEVAS Project)**

**June 2010**

By Jesuit Refugee Service

This report acknowledges cooperation from detention centre staff in other countries under review, but, 'Regrettably, the United Kingdom refused JRS UK personnel permission to interview detainees and staff.' JRS 'wrote several letters to prominent and influential people in the hope that the Home Office decision could be overturned. Dame Anne Owers (HM Inspector of Prisons) approached the Home Office on our behalf arguing that a comparative study may be of value. However, all efforts to overturn the decision were unsuccessful.' [p414]

Download report [here](#).

## **State Sponsored Cruelty: Children in Immigration Detention**

**September 2010**

By Jon Burnett et al for Medical Justice

The 141 cases featured in this report involve children detained between 2004 and April 2010. They spent a mean average of 26 days each in detention. One child had spent 166 days in detention over numerous separate periods before her third birthday. 48% of the children were born in the UK. 74 children were psychologically harmed.

Symptoms included bed-wetting and loss of bowel control, heightened anxiety, and food refusal. 34 children exhibited signs of developmental regression, and six children expressed suicidal ideation either whilst in detention or after release. Three girls attempted to end their own lives.

Download the 16 page [summary](#)

Download the 84 page [report](#)

**UK Government response:** Chief executive Lin Homer said UKBA took the needs of 'vulnerable individuals seeking asylum in the UK, and in particular the need to safeguard and protect the wellbeing of children', very seriously.

[Source here](#).

## **Ending the detention of children: Developing an alternative approach to family returns**

**June 2010**

By Professor Heaven Crawley, Director of the Centre for Migration Policy Research (CMPR) at Swansea University.

This report argues for reform of the asylum system so families have:

- access to high quality legal advice
- case-managed asylum system, including access to counselling, psychological support etc
- information about their case at each stage
- information and support in relation to return options
- dignity and respect at every stage of the process.

Download summary and report [here](#).

**\*Note on the author:**

**Clare Sambrook is a novelist, journalist and one of six friends who coordinate the unfunded citizens' campaign End Child Detention Now.**

**Clare won both the 2010 Paul Foot Award and the Bevins Prize for stories exposing government misrepresentations about the child detention policy, and the cosy links between government, civil servants and the security companies who run the detention centres for profit.**

**The End Child Detention Now press campaign is [here](#).**

**The End Child Detention Now campaign site is [here](#).**