

Written evidence submitted by Women for Refugee Women (COR0242)

About Women for Refugee Women

Women for Refugee Women (WRW) is a charity that supports women seeking asylum in the UK and challenges the injustices that they experience. Our submission to this supplementary call for evidence focuses on institutional accommodation, and concerns that we have in three key areas:

1. Women in hotel accommodation
2. Women being evicted from Home Office accommodation following grant of immigration status
3. Significant changes to how the Home Office is detaining women

WRW has a network of around 300 women that we support from the London area. The sections on women in hotel accommodation and women being evicted following grant of immigration status have been compiled using the experiences of women from our London network, as well as from reports received from some of our [partner organisations across England and Wales](#).

We also provide support to women in immigration detention. The section on women in detention has been compiled from the experiences of women in our network who have been detained during the pandemic. It also draws on recent figures on survivors of trafficking in detention obtained from the Home Office via Freedom of Information requests.

1. Women in hotel accommodation

1.1 WRW understand the Home Office are using hotels both as initial accommodation, for women at the beginning of their asylum claim, or as emergency accommodation granted during the pandemic in order to support women at risk of destitution. We are very concerned about the conditions, and long-term use, of hotels, and the impact of this on the safety and well-being of vulnerable women seeking asylum.

1.2 WRW are aware of women who have been sexually harassed by male residents, for instance by trying to enter a woman's hotel room or making rape threats via the hotel telephone. Some women in our network have also experienced bullying and aggressive behaviour from other hotel residents. Yet in many cases hotel staff and management are ill-equipped to deal with these situations, and to ensure adequate safety and support to vulnerable women. At the same time, our caseworkers have reported serious difficulties in persuading the Home Office to relocate women, where this would be appropriate. These reports are especially concerning given that many of the women we work with have fled extreme acts of sexual and physical

violence. Some women we know have felt so unsafe in the hotels that they have been forced to flee, and have ended up sleeping on the streets or on night buses instead.

1.3 We have also received reports about a lack of nutritious food in the hotels. This is a particular concern for women with serious illnesses - such as diabetes - who require specific diets, and especially where those illnesses increase vulnerability to COVID-19. Exacerbating access to adequate food is the lack of financial support. It was only in October that the Home Office announced it would provide £8 a week to people living in hotels. However, not all of the women we support have received this, and payments have been inconsistent for those who have. The amount is also grossly inadequate to cover basic needs; women in our network have reported serious challenges in obtaining period pads and tampons, feeling embarrassed to ask male staff at the hotels. This resonates with our 2015 report on women in detention, *I Am Human*, where women shared their humiliation of having to ask a (male) staff member for period products.

1.4 As the Home Office's own guidance acknowledges, initial accommodation is "short-term", provided normally for 'around 3-4 weeks, before moving onto dispersal accommodation.'¹ Yet we have spoken with women who have spent over six months in a hotel and - up until recently - without any cash support. These prolonged periods, spent in accommodation that is not designed to be long-term, leads to various issues. We have received reports of women who have been unable to access medical care because their local GP has refused to register asylum-seeking people living in temporary accommodation. This in some cases has affected the ability of women to obtain crucial medical evidence in support of their asylum claim. Relatedly, accessing legal support for their asylum claims has become even more challenging; women in these hotels are completely isolated from support networks, where they might otherwise obtain legal advice more easily or be referred to an appropriate provider. There is also of course the severe mental health impact of isolation on already traumatised women.

2. *Women being evicted after grant of immigration status*

2.1 WRW and our partner organisations are appalled to see that women who have been granted status are being evicted from institutional accommodation, in cases where the woman has not successfully secured appropriate council housing.

2.2 Our previous research has detailed the harmful effects of destitution on women seeking asylum. A quarter of women who shared their stories with us were raped or sexually abused, and over a third were pushed into abusive relationships, after becoming homeless.

¹ <https://www.gov.uk/government/publications/living-in-asylum-accommodation>

2.3 As mentioned, many of the women we work with are survivors of rape and/or other gender-based violence, and evicting them into street homelessness places them at risk of further abuse and exploitation. The fact that we are currently still in national lockdown, when we are all required by law to stay at home, and with COVID-19 deaths in the UK at a record high, makes the Home Office's decision to evict women onto the streets even more shocking.

2.4 Reports over the years have presented the serious difficulties experienced by newly granted refugees in securing alternative housing within the 28-day move-on period - a timeframe that is often far too tight in ordinary times. During a pandemic, where local authorities are facing an acute demand for housing, it is even more challenging, if not impossible. NGOs within the homelessness sector have highlighted the inadequate funding that councils have received from central government during the outbreak. So it is perhaps not surprising that our caseworkers have experienced increased gatekeeping by certain local authorities, even though the women in our network are vulnerable and so meet the criteria for emergency housing. According to our partner organisation Oasis Cardiff, one survivor of gender-based violence, set to be evicted on 14 February, was denied appropriate council housing, and instead offered floor space at a homeless hostel in a mixed-gender room. Oasis Cardiff have reported that other refugee women in their network, who have previously been placed in the same hostel, have felt extremely unsafe, with staff seemingly ill-equipped to deal with safety issues and problems that arise there.

2.5 Another woman, from our London network has reported feeling very unsafe in the council accommodation she has been offered, following her eviction. Since moving into the accommodation at the beginning of February, she has been threatened by other residents. Her bike and money have been stolen, and the lock on her bedroom door has been tampered with, which has not yet been replaced. All of this is having a severe impact on her mental health, a woman who is a traumatised survivor of trafficking. It remains the government's guidance to maintain social distancing, yet the woman is forced to share the kitchen and bathroom with strangers. To make matters worse, she reports feeling very unsupported by the housing officer and the council, who have displayed aggressive behaviour towards her.

2.6 Since November, the Home Office has paused evictions for people who have been refused asylum, following a high court ruling that justified the decision based on serious public health concerns. Thus, the Home Office is acting not only inhumanely but also inconsistently, by pressing ahead with evictions for women granted status.

3. Significant changes to how the Home Office is detaining women

3.1 The number of women in immigration detention is currently low. According to the most recent Home Office immigration statistics, at the end of September 2020 there were 27 women in detention. However, it is important to note that - following a sharp drop in the number of women detained at the beginning of the pandemic - the figures for the end of September 2020 represent a rise on the previous quarter (up from 19 women detained at the end of June). This increase, in spite of the ongoing pandemic, can also be seen through the figures for women *entering* detention. Between April-June 2020, 78 women entered detention. Across July-September 2020, this more than doubled, increasing to 175.

3.2 Moreover, during the course of the pandemic the Home Office has made significant changes to how it is detaining women. It is now the norm that women are held in detention centres that are predominantly for men.

3.3 In August 2020 Yarl's Wood was formally 're-purposed' as a detention centre predominantly for women, into a short-term holding facility for men arriving in the UK by boat. Shortly after this, however - and without any official announcement - the Home Office started to detain some women at Yarl's Wood again. Home Office statistics show that between July-September 2020, 10 women entered detention in Yarl's Wood (i.e. this was their first place of detention; this figure does not include women who were first detained elsewhere, and then subsequently transferred to Yarl's Wood).

3.4 Alongside this, women are also currently being held in small units in Colnbrook, near Heathrow, and Dungavel, in Scotland, both of which are men's detention centres. Between July-September 2020, 126 women entered detention in Colnbrook, and 9 women entered detention in Dungavel.

3.5 The shift towards holding women in men's detention centres has happened behind closed doors, without any formal announcement or transparency from the Home Office. It also appears that the Home Office has not conducted an Equality Impact Assessment on this practice. In response to a parliamentary written question in November 2020,² the Home Office did not confirm that an Equality Impact Assessment has been carried out.

3.6 We have significant concerns about what the shift toward holding women in men's detention centres means in terms of a) women's access to safeguarding mechanisms, which are supposed to protect against their detention, as well as b) the conditions in which women are held.

² <https://questions-statements.parliament.uk/written-questions/detail/2020-11-30/122657>

a) *Women's access to safeguarding mechanisms that are supposed to protect against their detention:* As the 2019 Home Affairs Committee report on immigration detention highlighted, under the 'Adults at Risk' policy - which is supposed to prevent the detention of vulnerable people - there is no proactive vulnerability screening mechanism before people are detained. In oral evidence to the Committee, we have previously highlighted how this means that women in our network, who are survivors of rape and/or other gender-based violence, have been detained for long periods of time without their vulnerability being identified.

3.7 The lack of proactive screening for vulnerability prior to people being detained means that screening at the point of arriving at a detention centre becomes particularly important. However, for women detained in men's detention centres, there are significant barriers to disclosing their previous experiences. HM Inspectorate of Prisons' (HMIP) 2018 inspection of Dungavel detention centre, for instance, highlighted that risk and need screening interviews for those arriving in detention were 'not comprehensive and did not take place in private'.³ Women who have experienced rape and other forms of gender-based violence are highly unlikely to disclose such experiences during a screening interview that is not held in private, where men – including both male staff and men who are being detained – may be able to hear what they are saying.

3.8 In previous Yarls Wood inspection reports, HMIP has identified a lack of knowledge amongst staff about women's specific experiences of abuse and violence.⁴ This impedes women's access to the main mechanism for identifying vulnerability in detention, Rule 35 reports. We are aware of cases where, for instance, women have been told by medical staff that they are not eligible for a Rule 35 report because domestic violence does not constitute torture. WRW has also documented cases where women who have disclosed sexual exploitation and trafficking during their Rule 35 appointments have not been referred into the National Referral Mechanism (NRM). In detention centres that are predominantly for men, knowledge amongst staff of women's specific experiences of exploitation and violence is likely to be even worse. In response to a recent parliamentary written question, the Home Office did not confirm that women detained in Colnbrook and Dungavel would be able to access healthcare staff with knowledge of and expertise in gender-based violence.⁵

³ <https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2018/11/Dungavel-Web-2018.pdf>

⁴ <https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2015/08/Yarls-Wood-web-20151.pdf>

⁵ <https://questions-statements.parliament.uk/written-questions/detail/2020-11-30/122657>

3.9 In light of these concerns about women's access to mechanisms that are supposed to protect against their detention, it is worrying that the detention of survivors of trafficking since the introduction of the Adults at Risk policy has actually increased. Figures recently obtained through Freedom of Information requests to the Home Office by WRW and After Exploitation demonstrate that over the past three years the detention of potential victims of trafficking has tripled, from 410 in 2017 to 1,256 in 2019. The figures also show that almost 1,000 people with trafficking indicators were detained in 2020, despite the fact that significantly fewer people were detained overall last year because of the pandemic.⁶

b) Conditions in which women are held

Detention Services Order (DSO) 06/2016 on 'Women in the detention estate' specifies measures that should be taken 'to ensure that the different needs of women are consistently identified and met in the detention estate'.⁷ This guidance was introduced in 2016, following concerns raised by WRW. In our 2015 report *I Am Human* we documented how women who were being placed on 'constant supervision' because of concerns about their mental health found it incredibly distressing to be watched by male detention centre staff.

3.10 Nineteen of the 38 women we spoke to for this research had been placed on constant supervision while they were in Yarl's Wood. Of these, 13 women said they had been watched by male staff. Five said that during this constant supervision, they had been seen by a male member of staff while they were naked. Ten women said they had been seen by male staff while they were in bed, 8 while on the toilet, and 7 while in the shower. One woman we interviewed told us: 'It bothered me so much. I have a history of sexual abuse. This man can do anything to me. It's not right at all. It makes you so vulnerable.' Another woman said: 'I felt ashamed. A total stranger just saw you naked and you have to see them all day. It breaks your confidence.'

3.11 Following our research, the 2016 DSO on women in the detention estate was introduced. This specifies that 'constant supervision of women ... must be undertaken by a female detainee custody officer'. However, it seems unlikely that such a measure is routinely being adhered to under the current arrangements for detaining women. This is partly because of the ratio of male to female detainee custody officers: even while it was a detention centre predominantly for women, Yarl's Wood consistently struggled to recruit enough female staff to ensure that male staff were not being used inappropriately.⁸ We also think it is unlikely that this guidance is

⁶ <https://www.refugeewomen.co.uk/wp-content/uploads/2021/02/Survivors-Behind-Bars-1.pdf>

⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/531270/DSO_06-2016_women_in_the_detention_estate.pdf

being adhered to because, in a predominantly male detention centre, women's specific needs are likely to be overlooked.

3.12 In response to a recent parliamentary written question on this, the Home Office confirmed what is specified by the DSO on women in the detention estate on the constant supervision of women. However, the Home Office did not appear to confirm that it is always the case in practice that women detained in Colnbrook and Dungavel are only watched by female staff if placed on constant supervision.⁹

3.13 Conclusion: Following Stephen Shaw's second review of vulnerable people in detention (2018), the Home Office took positive steps towards ending the detention of women by establishing the 'Action Access' alternative to detention pilot for asylum-seeking women who would otherwise have been detained in Yarl's Wood.¹⁰ This pilot is due to come to an end in March 2020. Given the low numbers of women currently in detention, the Home Office could use the emerging findings from this pilot to formally end its use of immigration detention for women now.

February 2021

⁸ <https://www.justiceinspectors.gov.uk/hmiprison/wp-content/uploads/sites/4/2015/08/Yarls-Wood-web-20151.pdf>

⁹ <https://questions-statements.parliament.uk/written-questions/detail/2021-01-21/141555>

¹⁰ <https://actionfoundation.org.uk/projects/action-access/>