

Written evidence from Dr Ali Bilgic (Loughborough University) [EAP0010]

Female asylum-seekers experiences of detention in the UK

This report is prepared by Dr Ali Bilgic, Reader in International Relations and Security at Loughborough University. Dr Bilgic is the author of *Rethinking Security in the Age of Migration: Trust and Emancipation in Europe* (Routledge, 2018, 2nd edition) and was the Prince Claus Chair (2017-19) on 'Migration and Human Security' at the International Institute of Social Studies, Erasmus University in Rotterdam.

The following report is based on interviews, conducted by the research team led by Dr Bilgic, with women asylum-seekers who were held in an immigration detention centre. The research was designed to reflect diversity of experiences in terms of ethnicity, age, and sexuality.

The research has found that the detention of asylum-seekers in the UK has significant human and financial cost with no clear benefits to the system of migration management. It criminalises the asylum-seekers and causes significant emotional distress amongst the detainees. The women asylum-seekers, who had been traumatised by the persecution due to their gender, race, or sexuality, experience further distress with no justification of their indefinite detention. Most importantly, it obscures the integration process and breaks the bond between the women and broader British society. The report will conclude with three policy recommendations to reform the asylum-seekers' incarceration in the UK.

Current Situation of Detention of Asylum-seekers in the UK

Since its origins in the Aliens Act 1905 and its formal passage into legislation in the Immigration Act 1971, detention in the UK has become a practice with increasingly penal overtones. Despite the normalization of detention, powers to detain are very broadly defined and there is no independent scrutiny of the lawfulness, appropriateness and length of detention.

As became apparent from the interviews, detention in Britain is less a principled and regulated policy and more akin to an arbitrary panel practice. Both the physical infrastructure of immigrant detention and the management of detainees are adapted from the security practices of penal institutions and replicate the practices of criminal law. These similarities are evident in characteristics such as human transport in barred vans; police-like uniforms for immigration officers; handcuffs and guards; the clothing of detainees in uniforms; the use of solitary confinement; physical brutality; and monitoring internet use. The UK applies criminal law practices throughout the course of detention, such as bail hearings and administrative reviews, which take place in the absence of a formal charge.

According to [the British Red Cross](#) (2018), detention causes distress to detainees, which includes being unprepared at the moment of detention—both practically and

mentally feelings of criminalization, insufficient information and advice, reliving past trauma (such as female genital mutilation) and being cut off from their lawyers and support networks. Our interview findings are in line with the BRC report.

Our research focuses on three periods of female asylum-seeker detainees: life before detention, during detention, and after detention.

Life before detention

Regarding life before detention, a common key theme among the interviewees was a feeling of safety and freedom in their local communities. Despite their status as asylum-seekers, none of the women we interviewed could imagine that they could be detained. One interviewee stated that 'as a woman in the UK I was free to go wherever I wished, and I experienced a freedom in this country that I did not experience as a woman and girl in the country I was born in. It was after detention that I learnt the real difference between a free and a captive life.'

We have found that when asylum-seekers were detained at their local Immigration Reporting Centre (IRC). They were caught completely unprepared, both physically and mentally, for the manner in which they were discredited by officers in the IRC, who questioned their status as asylum seekers. Dehumanisation and being made to feel like a criminal during the moment of 'arrest' have often mentioned.

Life in detention

While in detention, the women felt under coercive pressure to leave the UK, despite being individuals who had sought protection and whose asylum claims had not yet been decided. They all gave accounts of the detention centre's 'call', a recurring expression they used. The 'call', carried out by immigration officers, could be about anything. Those occurring in the morning hours to 'sign transfer papers' were perceived by our interviewees as tactics to 'break them' so they could sign documents to leave the UK.

Despite the fear caused by the 'call', and the ongoing uncertainty about why they had been detained and when it would end, women detainees generated a community to help each other in such a hostile context. The women helped each other to become better informed about what was happening to them and how they could navigate the administrative procedures surrounding their detention.

Food scarcity and racialisation of women were cited by our interviewees. Our research has found that when female detainees approached the officials in the detention facility for assistance, particularly regarding mental health, their words were not believed, and their concerns were overlooked. Our findings are in parallel with a report for the Home Office made by the Tavistock Institute in 2015 that reviewed the mental health issues in immigration detention centres and found significant systemic weaknesses. Among many comments, it pointed out that detention centres do not carry out the same level of mental health assessments for

detainees as prisons; it criticized the 'culture of disbelief' that affects how staff assess health complaints and especially self-harm.

Life after detention

The women's experiences once they are released from detention are diverse. While fear of detention continues to dominate their lives, it comes with a sense of resilience through having experienced and lived through the worst. Some of our interviewees dealt with fear through community activism, as a way to reconnect with their local communities. However, for others, detention significantly damaged their sense of belonging in society. One of the most important implications of detention for former detainees was how they perceive the rest of British society. Because of their experience, they no longer felt part of society. Detention created a gap between them and those who did not experience or did not even know about immigration detention in the UK.

Conclusions and recommendations:

Three changes are needed to move UK migrant detention policy away from arbitrary mass detention. Firstly, a more comprehensive legal framework that clarifies under what conditions asylum-seekers can be detained and for how long is urgently needed to stop this legally dubious process of arbitrary and indefinite detention. In other words, the system should not be used as a penal practice without legal protection and rights that are normally offered to prisoners.

Secondly, community-based systems where detention is the last resort should be introduced. They will be cost-effective. Unlike detention, this system will not break the connection between the asylum-seekers and their broader community,

Thirdly, the asylum system must ensure that an asylum-seeker's integration into society is not abruptly interrupted through incarceration, especially given the fact that the vast majority of asylum-seekers are released back to the society and they might become refugees. If the asylum-seeker is detained, they need to receive a psycho-social support following their release so they can revive the process of integration and address the trauma of detention.

References to Underpinning Research

Bilgic, A. (2018, 2nd edition) *Rethinking security in the age of migration: Trust and emancipation in Europe*. London: Routledge.

Bilgic, A., & Gkouti, A. (2021) 'Who is entitled to feel in the age of populism? Women's resistance to migrant detention in Britain' *International Affairs*, 97(2), 483-502.

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