

New report shows urgent need for action to protect asylum seekers and migrants with health needs detained in the UK

The charity Bail for Immigration Detainees (BID) has called for action to ensure that asylum seekers and migrants with health needs are protected against prolonged and arbitrary detention.

The call follows the publication of *'Fit to be Detained? Challenging the detention of asylum seekers and migrants with health needs'* by BID. The report is based on the cases of 13 adults and 3 children with health needs, held in UK prisons and Immigration Removal Centres for periods ranging from 40 to 720 days (an average of 250 days). It includes findings of a report on the health and medical needs of immigration detainees by the independent humanitarian medical agency Médecins Sans Frontières.

The detainees, who had sought asylum in the UK from countries such as Afghanistan, Cameroon, Iraq, Nigeria, Rwanda, Sierra Leone and Somalia, reported traumatic experiences in their home countries, including being imprisoned, raped, burnt with cigarettes, subjected to electrical torture and witnessing the murder of family members.

All 16 detainees were medically assessed whilst in UK detention in 2004 by a general medical doctor employed by Médecins Sans Frontières, at the request of BID. The reports of these assessments were used by BID to seek release from detention.

"BID's report shows that vulnerable people are facing obstacles in exercising their legal rights. In three cases, there was no independent review of detention at any stage, and in several other cases Adjudicators in bail hearings appeared to ignore or disregard health status" said Sarah Cutler, BID Policy and Research Officer.

"In all but three cases, detention did not result in removal from the UK and the majority of those released stayed in contact with the immigration authorities – calling into question the need to detain them in the first place."

Whilst detained in the UK, it was the opinion of the medical doctor that the health of the detainees had deteriorated in detention, considerably in the majority of cases. MSF felt that the continued detention of these individuals would be likely to result in further deterioration of health, particularly mental health. Despite this, long periods of detention occurred between medical assessment and release – up to 168 days in one case.

MSF's experiences are documented in an Annex to the BID report. In the MSF report, the authors highlight the organisation's concerns as to the health status of detainees visited and the apparent lack of mechanisms to ensure that vulnerable individuals receive the medical care and protection they need during the detention process.

The MSF report also notes:

- § a lack of a systematic process in place to ensure that seriously ill individuals are identified and detained only in exceptional circumstances, as specified in official detention guidelines
- § failure in some cases to identify torture victims
- § cases of disrupted treatment for mental health problems, unidentified health needs among detainees, and lack of follow-up and referrals for urgent medical concerns
- § poor continuity of health care and a lack of complete medical notes for detainees who are frequently moved between centres and a lack of interpreting services to enable detainees to communicate appropriately with medical staff.

ENDS

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Copies of the full report can be emailed on request.

Notes to Editors

1. 'Fit to be Detained? Challenging the detention of asylum seekers and migrants with health needs' by Bail for Immigration Detainees, published on 18 May 2005, will be available to download in full from www.biduk.org from 18 May. An Executive Summary of the report will also be available online.
2. 'The health and medical needs of immigration detainees in the UK: MSF's experiences' is available as an Annex to the BID report, and can be downloaded from the same address.
3. Official Asylum Statistics published on Tuesday 17th May show that a greater number of people are being detained than in 2004 - a total of 2125 detainees were held on 26 March 2005 -1625 of whom had claimed asylum at some stage. 50 children were in detention on 26 March 2005 (compared to 25 at the last count). See <http://www.homeoffice.gov.uk/rds/whatsnew1.html>
4. Following detention, only three adults and one child were removed from the UK. Six detainees were released by the Immigration Service, four were released on bail by a Court, and three were removed from the UK.
5. BID is an independent charity that prepares and presents free bail applications on behalf of those detained under Immigration Act powers. BID does not receive legal aid funding. BID also carries out information and research work on the policy and practice of immigration detention in the UK. BID has offices in London, Portsmouth (for Haslar) and Oxford (for Campsfield) and makes bail applications for those held at any of the Immigration Removal Centres (IRCs) in the UK. We also support people to make their own applications for release on bail, without a legal representative using our Notebook on Bail. In 2001 BID was awarded the Liberty/Justice Human Rights Award. Further information can be found at www.biduk.org
6. MSF is an independent humanitarian medical aid agency committed to two objectives: providing medical aid wherever needed, regardless of race, religion, politics or gender and raising awareness of the plight of the people helped by MSF. See: www.msf.org

Bail for Immigration Detainees
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