

4<sup>th</sup> February 2005 – for immediate release

## Charity condemn increase in detention of children as new unit doubles number of family beds to 456

The use of immigration detention for children in the UK is set to rise dramatically following the opening on 27/1/05 of a new family unit at Yarl's Wood Immigration Removal Centre in Bedfordshire, Bail for Immigration Detainees (BID) said today.

The new unit currently has 232 beds for asylum seeker and migrant families – more than doubling the family detention spaces that are available in the UK to a total of 456. There are now 56 bed spaces allocated to families at Dungavel IRC, 232 at Yarl's Wood, 136 at Oakington Reception Centre and 32 at Tinsley House.<sup>1</sup>

*“BID are very concerned about the growing use of detention for children and the unprecedented number that can be held at any one time. Immigration act detention requires neither sanction nor review by a court, and there is no limit on how long children can be held. The government have promised independent welfare assessments for all children detained past 21 days, yet as far as we know, this vast new unit has opened without a mechanism in place for welfare assessments,”*

said Sarah Cutler, BID Policy Officer.

*“We know from working with children at other centres that they do not thrive in detention and may be held long beyond a period of a few days – many weeks and even months in some cases.*

*However nice the physical environment, the fact remains that these children are locked up for the administrative convenience of the government. We are particularly worried that there are very few solicitors in the local area that will be able to help these children to exercise their right to challenge their detention, or deal with any issues relating to their case to stay in the UK.”*

A report about Oakington Immigration Reception Centre published on 9 November 2004, was damning of the failures of the additional review mechanisms that are supposedly in place for reviewing family detention. Inspectors found ‘no evidence’ that stated policies were being followed and “*saw no evidence that a balancing exercise between the necessity of detention and the welfare of the child had been carried out.*”

BID have also condemned the fact that there are still no published statistics about the total number of children detained, the outcome of their detention or the length of time they were held.

**ENDS**

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<sup>1</sup> See ‘BID DETENTION OF FAMILIES IN THE UK – UPDATE - FEBRUARY 2005’ for further details of current policy at [www.biduk.org/pdf/children/update\\_feb\\_2005\\_detention\\_of\\_families\\_UK.pdf](http://www.biduk.org/pdf/children/update_feb_2005_detention_of_families_UK.pdf)

## Notes to Editors

1. BID is a small independent charity that prepares and presents free bail applications on behalf of those detained under Immigration Act powers. BID also provide advice and information about detainee's right to challenge their detention. See [www.biduk.org](http://www.biduk.org) for more information.
2. BID has published a policy update including quotes from Ministers and officials intended to inform practitioners who want to challenge family detention. The update for February 2005 is available at [www.biduk.org/pdf/children/update\\_feb\\_2005\\_detention\\_of\\_families\\_UK.pdf](http://www.biduk.org/pdf/children/update_feb_2005_detention_of_families_UK.pdf)
3. HM Inspectorate of Prisons report of an announced inspection of OAKINGTON IMMIGRATION RECEPTION CENTRE was published at 00.01 on 9 November 2004. HMIP conduct announced and unannounced inspections of immigration removal centres in the UK. They have visited centres detaining families on a number of occasions. In 2003, HMIP stated that *"...the detention of children should be an exceptional measure, and should not in any event exceed a very short period – no more than a matter of days. The key principle here is not the precise number of days ... It is that the welfare and development of children is likely to be compromised by detention, however humane the provisions, and that this will increase the longer detention is maintained. We therefore believe that there should be an independent assessment of the welfare, developmental and educational needs of each detained child, guided by the principles set out in international and UK domestic law in relation to children. This should be carried out as soon as practicable after detention and repeated at regular intervals thereafter, to advise on the compatibility of detention with the welfare of the child, and to inform decisions on detention and continued detention."*<sup>2</sup>
4. A report of an announced inspection of Oakington Immigration Reception Centre 21–25 June 2004, published on 9 November 2004, stated:  
*"We also found that the mechanisms for deciding to detain children, and reviewing their detention and developmental needs, were not sufficiently robust. Under IND's own instructions, the detention of children is always a sensitive matter and should be decided at senior level (by an Assistant Director). We saw no evidence of such authorisation, and indeed on-site staff appeared unaware of the need for it. The instructions also require regard to be given to Article 8 of the European Convention on Human Rights: again, we saw no evidence that a balancing exercise between the necessity of detention and the welfare of the child had been carried out. The centre made conscientious attempts to identify and support children at risk of harm; but residential staff lacked the necessary qualifications, or support from social services. The concerns they did raise about children underline the need for independent review of a child's welfare and development after seven days, as we have previously recommended."*
5. Children in asylum seeking families can be made subject to the detention of one or both of their parents. They can be held for an indefinite period in a 'removal centre'. (Until 2002, removal centres were named detention centres).
6. Tinsley House Immigration Removal Centre (IRC) is near Gatwick, Dungavel IRC is in Lanarkshire, Oakington Reception Centre is in Cambridgeshire and Yarl's Wood IRC in Bedfordshire.

**BID - registered Charity No. 1077187. Exempted by the OISC. Ref. No. 200100147**

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<sup>2</sup> An Inspection of Dungavel Immigration Removal Centre, October 2003, HMIP, August 2003, p 45