

November/December 2011

<http://closecampsfield.wordpress.com/>

The Campsfield Monitor

Newsletter of the Campaign to Close Campsfield

£/p contribution welcome

In 2011, three unexplained deaths in Campsfield and Colnbrook

On 2 July 2011, Muhammed Shuket, a 47-year-old Pakistani migrant, died on his way to hospital from Colnbrook detention centre near Heathrow. On Sunday 31 July, Brian Dalrymple, a 35-year-old possibly US citizen, died in Colnbrook. Then, on Tuesday 2 August, John Yohona (the name is yet to be confirmed), who was apparently facing imminent deportation, was found hanged at Campsfield. Conflicting reports suggest he was either found hanged or that he cut himself with razor blades.

The next day 20 people demonstrated at Carfax in central Oxford. A display also listed the more than a dozen immigration detainees in the UK who have taken their lives, reminded passers-by of the deaths while being deported of Joy Gardiner and, last year, Jimmy Mubenga from Angola, and asked 'How many more deaths before we call an end to the detention of innocent people?'



In 2005, Ramazan Kumluca, an 18-year-old asylum seeker from Turkey, described in a subsequent Prison and Probation Ombudsman report as "likeable and bubbly", hanged himself after spending more than four months in Campsfield. The report admitted that the family of the deceased were "angry" about the length of time that Mr Kumluca had been detained.

On that occasion, Campsfield's management, its "Independent" Monitoring Board, and the Home Office all professed utter disbelief that it could possibly have been suicide, or that if it had been, it was anything to do with them. The police evidence blew that pretence away in minutes. Link to report on the inquest: <http://closecampsfield.wordpress.com/2006/07/22/suicide-verdict-on-ramazan-kumluca-aged-18/>

No inquests have yet been held for those who died this summer, nor any dates set for an inquest.

See the Institute of Race Relations website for full list of all people who have taken their lives in detention: irr.org.uk

What is Campsfield?

Campsfield "House" Immigration Removal Centre near Kidlington, some 6 miles north of Oxford in Oxfordshire. It opened in 1993, holds up to 216 male detainees, and is run by Mitie under contract to the UK government. Campsfield is one of 12 main detention centres in the UK, 8 of which are run by private companies for profit.

For more information see

<http://closecampsfield.wordpress.com/>

Justice for Jimmy Mubenga! (2)

On 14 October, over fifty campaigners joined the family and friends of Jimmy Mubenga in a vigil on the first anniversary of his death.

Jimmy Mubenga died on 12 October 2010, after being restrained by private security guards from the company G4S on a BA flight at Heathrow airport during a deportation attempt to Angola. Jimmy's wife, five children and his wider family are still waiting, one year on, to see if the Crown Prosecution Service (CPS) will charge the three officers involved.



The vigil, held outside the offices of the Crown Prosecution Service, was attended by Angolans and activists and supported by campaigning organisations INQUEST, Medical Justice and No Borders and the Campaign to Close Campsfield.

'The suspects were interviewed in March 2011 and the Pathologist's Report was completed on 6th September 2011', says the Crown Prosecution Service. And so Jimmy's widow Makenda Kambana, five children, wider family and friends wait and wait.

The very least that should have been done immediately and must be done now is to suspend all use of violence ('restraint') by the mercenaries that carry out forcible deportations after G4S lost the profitable contract – Reliance.

More detention centres! Children still imprisoned

Oakington (328 places) near Cambridge closed a year ago in November 2010. Morton Hall (392 places), formerly a women's prison, near Lincoln, re-opened as a detention centre for men in June 2011. In August, new 'pre-departure accommodation' for up to 9 families with children to be imprisoned for up to seven days opened at 'The Cedars', Pease Pottage, near Crawley by Gatwick airport in Sussex. ('Cedars stands for the principles staff will work to – compassion, empathy, dignity, approachability, respect and support.' – Home Office website). Doctors believe even short detention can traumatise children. But deputy premier Nick Clegg says opening The Cedars is in line with the government's promise of an end to the detention of children. The involvement of Barnardo's, the children's charity, in running the 'family-friendly environment' (Home Office website), has been widely condemned. A 'short-term holding centre' (19 places) opened at Larne in Antrim, northern Ireland; like Pennine House in Manchester airport (32 places), it is run by Reliance, who took over 'escort' duties from G4S after the death of Jimmy Mubenga in October 2010. So there has been a small expansion in the 'detention estate' in the past year, and children are still being imprisoned.

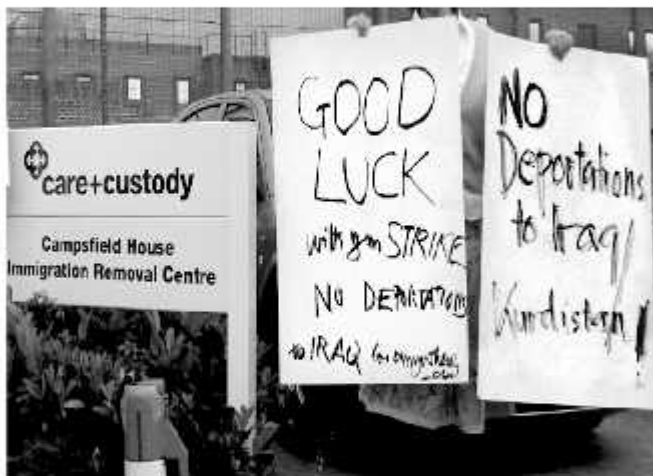
Stop deportations to Iraq! Hunger strike and blockade

In early June 2011, approx. 70 Iraqis and Kurds from around the UK were detained in preparation for a planned mass deportation. Many were brought to Campsfield and on 7 June 2011, 37 Iraqi, Kurdish and Afghani Campsfield detainees went on hunger strike.

A statement was released by some of the hunger strikers 'Some of us don't have any homes or nowhere to go in Iraq. If we were returned we would be left to survive for ourselves on the streets with nothing.' Meanwhile in the UK they had families and friends.

According to media reports and evidence collected by the International Federation of Iraqi Refugees (IFIR), many of those deported to Iraq in the past are now living in hiding, in fear of the persecution they originally left Iraq to flee. Some have been assassinated. Others have committed suicide only days after being deported or have been kidnapped and killed, while others have had mental breakdowns. Many more have had to leave the country and become refugees again.

A demonstration was held outside Campsfield to show support to all the hunger strikers and opposition to the deportations. In the same week permission to demonstrate in Iraqi Kurdistan was refused, showing the state of democracy and freedom of expression in play there.



Later in June, after detainees had been transferred closer to Heathrow, No Borders and refugee solidarity activists blocked the road from Harmondsworth and Colnbrook detention centres,

with people in lock-ons and more supporters with banners and making noise, to prevent the mass deportation. This brave action gave more time for a Judicial Review which the Immigration Advisory Service were in court seeking and later that day won, legally preventing the mass deportation from going ahead.

This was an inspiring action for those locked up in detention centres and for campaigners and activists.

Stop the deportations! UN: 'Iraq is unsafe'! UK government - stop breaking up families!



18 years ago:

25 November 1993: two minibuses bring the first detainees from Harmondsworth, Heathrow, to Campsfield. Over 20,000 innocent people, refugees and undocumented migrants, have been imprisoned in Campsfield for anything from a day or two to months, even years, without being charged with any crime, without judicial oversight or proper reason given, and without time limit.

*Photo credits this issue (in order):
Indymedia/Noborders, Bill MacKeith, Aileen Mooney (2), Bill MacKeith, Harmit Athwal*

Campsfield calendar

Demonstration and public meeting every month; stalls at Oxfam One World, Green and university freshers' fairs, Oxford May Day, Burford Levellers' Day.

Nov. 2010: 17th anniversary demonstration at Campsfield with ex-detainee speaker, two choirs, samba band and bike ride

January 2011: solidarity message sent to 300 migrants on hunger strike in Greece; after 6 weeks strikers won major concessions. 10-minute programme on the Campsfield Campaign on *Inside Out* BBC South, researched by campaign supporter.

March: launch of Bail Observation Project report *Immigration Bail Hearings: A Travesty of Justice?: Observations from the Public Gallery* at meetings in Oxford and London.

Benefit gig with Tracy Curtis and Robb Johnson

13 May: Campaign-organised phone blockade of Global Comms & Consulting Ltd (GCC) to protest about

introduction at Tinsley of phone system bad for detainees.

29 May: Mitie takes over running Campsfield.

1 June: Campaign supports demo at opening of Morton Hall new detention centre

June: Campaign callout asks people to post comments on Mitie website

7 June: 37 Iraqi, Kurdish and Afghani Campsfield detainees go on hunger strike along with others in other centres; supporters outside demonstrate at Campsfield; blockade at Harmondsworth; judicial review; mass deportation halted.

July: Campaign supports demo at Haywards Heath Council against the new detention centre for families

2 August: John Yohona (name yet to be confirmed) found hanged at Campsfield. His death followed those of Muhammed Shuket, who died on 2 July on his way to hospital from Colnbrook, and of Brian Dalrymple, who died Colnbrook on **31 July**. Vigil in Oxford on 3 August.

September: parliamentary question by Andrew Smith MP about Turkey detention centres at Campaign's request, also correspondence with immigration minister Damian Green

October: A Campsfield detainee told by a guard

that if he self-harmed he would be put in a mental institution. Other detainees have told of similar experiences

4 October: Campaign sounds warning after HMIP report on inspection of Campsfield.

90 students sign up for email list at Freshers' Fair stall.

Campaign supports vigil at CPS on first anniversary of Jimmy Mubenga's death

Benefit gig with Attila the Stockbroker and Knights of Mentis.

November: monthly meeting held in Balliol College; students plan further involvement

26 November: 18th anniversary demonstration

Detention Forum

The UK has for a long time lacked a national, focused platform to challenge the legitimacy of detaining migrants in IRCs. Thanks to some patient work by Eiri Orani, the Detention Forum has been established, and attracts a wide spectrum of campaign groups and NGOs to its quarterly meetings.

The Detention Forum has a website, and a steadily growing parliamentary network. It is deliberately low key in its presence, seeking rather to get groups to support each other in campaigns, or to get parliamentarians to take up issues themselves. During this year a steadily growing number of MPs and peers have been engaged in a parliamentary network – including Nicola Blackwood MP (Oxford West & Abingdon), who has shown a concern with movements of detainees about the estate.

Joint work within the Detention Forum has included:

- work against long term detention,
- work to get the parliamentary committees to take on a fundamental review of immigration including detention,
- work to spread the message of the Campsfield Campaign's Bail Observation Project.

More information can be found on the DF website detentionforum.wordpress.com. The quarterly meetings are open to anyone – do get involved! Liz Peretz, a Campsfield Campaign supporter, is on the Forum Coordination Group.

Mitie take over at Campsfield

The announcement

'FTSE 250 company Mitie has won the 5-year £27 million contract to run Campsfield detention centre near Oxford from this spring.

'Mitie has absolutely no experience in running immigration detention centres, so far as is possible to tell from the website mitie.com (which details many and varied activities) or any prison or other custodial establishment.

'Like other outsourcing companies, Mitie specialise in taking over a service and then squeezing it for profit; finding more ways to exploit staff or cut corners. In our case, a juicy 'corner' to be cut could be the migrants wrongfully imprisoned in Campsfield, who provide more or less forced or virtual slave labour for just £5 a day.

'Is Alex Sweeney, currently bid director at Mitie PLC the same Alex Sweeney who was until recently (and is still listed as such on the UK Borders Agency website) Centre Manager at Campsfield employed by the company GEO, which has just failed to secure the new contract to run Campsfield? If so, is this ethical trading (if such a thing is possible when it comes to locking up innocent people)?'

(campaign press release, 23 February)

Mitie take over

'We give notice to Mitie that detainees and their supporters will not take lying down its making private profit out of a state contract to cause misery and injustice by imprisoning people without charge or conviction for an indefinite period without proper judicial oversight.

'Mitie can expect protests inside and out to continue as they have for the past 18 years since Campsfield opened.

'Mitie Chief Executive Ruby McGregor-Smith was one of the 35 bosses who signed a letter to the *Telegraph* last October, backing the government's

public spending cuts in the interests of "a healthier and more stable economy" and commenting on the "significant opportunities for the outsourcing market" that will result.

'Mitie reportedly takes a hard line on its migrant workers, a number of whom including cleaners, have claimed unfair dismissal in the past.'

(campaign press release, 27 May)

Stop press:

Ruby McGregor-Smith, Mitie's chief executive, is rated one of the top 50 women in world business by the *Financial Times* (21 November 2011; FT.com). Pre tax profits in the 6 months April to September 2011 rose from £36.9million to £43.3 million. Gill Plimmer, in her *FT* article 'Mitie benefits from outsourcing trend', makes it clear just how quickly Mitie ('Care+Custody') is growing: 66 more contracts in the last six months, won because 'clients seek to save costs'. Could this have been UK BA's motive when they awarded Mitie the contract?

A MITIE VICTORY!

RMT [Rail Maritime Transport] members' pay dispute with MITIE is the first victory in the war for better pay and conditions for First Great Western contract cleaners

Mitie Group PLC hold the contract for over 300 facility staff across First Great Western, having won the contract in April 2010 from ISS. The contract covers Swansea, Paddington, Penzance and all rail stations between, mainly involving station cleaning. The pay is low and staff turn-over high, making recruitment and organisation difficult.

MITIE is based in Bristol, with more than 200 smaller offices throughout the UK and Ireland. It provides infrastructure consultancy, facilities management, property maintenance and a range of energy management services. MITIE stands for **Management Incentive Through Investment Equity**. It's a pity their definition of equity doesn't extend to paying their cleaning contract staff fairly.

In Swansea alone, cleaning staff have been transferred to five different employers since the railways were privatised between 1993 and 1996. There they have been well-organised, however, and have led strikes on several occasions over pay in the last few years. RMT membership has been slowly growing elsewhere and particularly amongst the big groupings in Paddington and Old Oak Common. In Bristol last year, three suspended members, one of whom was a local representative, were successfully reinstated.

The dispute with MITIE started in Swansea in January 2011, when members were balloted over Pensions and Pay, and voted 100% for strike action, with 100% turn-out. This must have been a surprise to MITIE, for they resolved the pensions issue quickly. However, they came back with an insulting pay offer of a 1.5% for 2010, with 1% for 2011. In return MITIE wanted to impose monthly pay, instead of two-weekly. Given the large number of pay errors that were regularly occurring, and the very low wages paid, this was a huge issue for members. The company also said they wanted to achieve a 20% saving in the contract at the expense of staff, along with a few other strings.

At around the same time, MITIE announced a profits increase of 16.5% (£108 million) over the last year, and an increase in shareholder dividends of 15.4% - a massive kick in the teeth to hard-working staff, generating company profits, while struggling to exist on low rates of pay.

The RMT judged the time was right to use these issues to build membership and expand the dispute from Swansea across all locations. Members across the whole contract were balloted, and on May 25th the result announced: 100% turn-out and 100% support for strike action. Two separate strike days, both Fridays, were announced. When the Company offered a significantly improved pay offer, the first day was called off, to allow talks to continue on the 'strings'. All strings were subsequently removed and the Company agreed not to impose monthly pay, including allowing new staff who had started on monthly pay to change back! This is the only agreement of this kind amongst MITIE's 55,000 workforce!

The second day of strike action was then called off to allow a referendum ballot on a 3 year offer (2010- 2012) of 3% backdated for 2010, 3.5% for 2011 and 3% for 2012. This offer was recommended to the members by the RMT Executive. As membership outside South Wales and London is still weak it was judged better to bank the pay offer and use the successful action to build for the next round of talks in late 2012.

This was an important win for this group of workers, and union membership has grown significantly as a result. There are no illusions, however. Although MITIE cleaners have been lifted above the minimum wage for the first time and although it was the highest pay offer across MITIE, low pay and poor conditions have not been resolved. RMT wants to expose the employment practices of MITIE, which is currently mopping up contracts in both public and private sectors, until the company agrees to reward its workforce with the pay and respect they deserve.

Most importantly, continued pressure must be put on First Great Western to end these contracts and employ all cleaners in-house.

– *Brendan Kelly, Regional Organiser, RMT.*
Report from *Trade Union Solidarity* magazine

Mitie on Facebook – What you thought

Here (next page) is some of the feedback we managed to grab from Mitie's facebook page before they began deleting comments questioning their actions.

This was in response to Mitie's take-over of the running of Campsfield House Detention Centre and our call-out.

Thanks to all those who contributed.

facebook

Email Password

Keep me logged in [Forgot your password?](#)

Sign Up MITIE PEOPLE is on Facebook
 Sign up for Facebook to connect with MITIE PEOPLE.



MITIE PEOPLE

Wall Info Discussions Photos Video Events

The views expressed in this group are those of the author and do not necessarily reflect the views of MITIE.

Information

Category:
 Business - Companies

Description:
 all MITIE people, past, present and future.

Privacy type:
 Open: All content is public.

Admins

Now you have taken over Campsfield, I wonder if your company realises how many more public relations disasters are waiting to happen. For an excellent recent concise report (20 pages) report on immigration detention, see No Return, No Release, No Reason published September 2010 by the London Detainee Support Group available on their website.

Incidentally, indefinite detention does not work - it is expensive, (fat profits for Mitie?), £1,400 per detainee per week. Of those detained for 20 months, only one third were deported. "If deportation has not been possible after a year, it is unlikely to become possible later" page 3

15 hours ago · Like · Comment

and like this.

We need a public campaign of pressure on Mitie to reconsider. Immigration detention is shameful and needs to end!
 37 minutes ago

Does anyone agree that MITIE made a bad mistake taking on the contract to run the immigration prison at Campsfield, near Oxford? As the latest suicide indicates, these places are evil. They are almost designed to drive people over the edge - jailed indefinitely, with a totally uncertain fate, just for being "the wrong kind of foreigner", or "too many".

Here's the latest report: <http://www.guardian.co.uk/uk/2011/aug/05/detention-centre-deaths-police-investigations>

These prisons were introduced to appease racists; there is no other reason for them. Around Europe, they claim thousands of lives. Dozens of people trying to escape Libya drowned only this week because EU anti-immigrant sea patrols have made the crossing so dangerous. Decent people should have no truck with this crazed, state-sponsored cruelty.

Some day all decent people will condemn places like Campsfield, and those who ran them.

Background information here: <http://www.noii.org.uk/>.

Friday at 1:41pm · Like · Comment

and like this.

I dont think so mitie made any mistake to take those contracts because its part of the buissness to improve and expand the buissness...if mitie not took it thier are some other compnies who can took it straight away...tory government got the authority to dedde about the illegal imigrants...in my opinion anybody who dont comit any serious crime should be free to live here in this country...on most parts of your message i m agree with you ...
 Friday at 1:49pm

Sorry , but the argument that if Mitie didn't do it someone else would, is totally futile. By running this unjust and unhappy prison with its history of hunger strikes, suicides, fires and disturbances, Mitie has placed the greedy desire to expand its business above any moral considerations of what's right and wrong. After all, the people at Campsfield House are locked up indefinitely simply because they do not have the right stamp of the right piece of immigration paperwork! Absolutely outrageous.
 18 hours ago

I agree. These places are shocking- hundreds of people locked up indefinitely, without hope, often in fear of death or worse. Let's hope public pressure can make Mitie reconsider.
 42 minutes ago

Judges

Have you ever been to a court and watch any of the judges?
 Those people carry some serious grudges
 Don't get me wrong, breaking the law must be punish
 But if you're innocent, your life shouldn't be tarnish
 People who are guilty are getting away free
 The one's that are innocent, lost their liberty
 Most judges don't use their moral authority
 Some just trample on one's dignity

I would like to see justice serve right
 Not by someone using their might
 I have seen judges made up their mind before the case is
 tried
 By punishing victims because someone lied
 Have you ever been to court for a trial?
 You have to be firm while fighting for survival
 Those egoistic people go on like they are God
 But in their home they are treated like a God

There can be no peace without any justice
 Time after time the UK Border Agency abused its off ice
 I have even seen judges abusing their power
 In the eyes of the law, they are treated differently from the
 others
 What kind of example those judges are setting?
 The justice system is only being, belittling.

– C.C., detained under 1971 Immigration Act

**A Travesty of Justice? – report
 of the Bail Observation Project**

This report, produced by the Campaign's Bail Observation Project, was launched at meetings in March on Oxford on and in Parliament. Over 1200 copies of the report have been circulated.

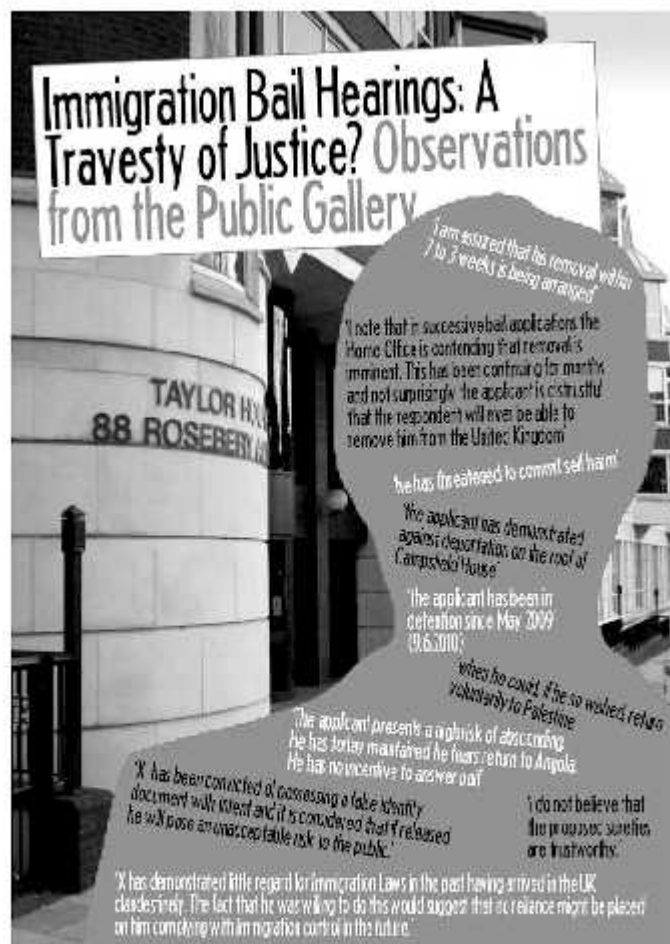
An immigration courts is where decisions made by the government (the UK Borders Agency) in immigration matters can be challenged. And this is where the administrative detention of some 25,000 people every year without time limit, without criminal charge or proper explanation given can be challenged, on an individual basis.

For years, among those familiar with UK immigration courts, stories have been commonplace about unfairness or lack of due process in immigration bail hearings. The report, published in March by the Campaign to Close Campsfield, records observations by 18 trained lay people who took time to attend 115 bail hearings at four immigration courts in Newport, Wales, Birmingham, central and west London. The work took place over eight months, from December 2009 to July 2010.

From the 115 hearings only 33 detainees got bail and 22 applications were withdrawn. Of those, 16 were withdrawn on the advice of the judge that to proceed would be unhelpful to the applicant, but at least two were withdrawn because of the judge's reputation for not granting bail (barrister's comments). 75 detainees who were applying for bail had a legal representative: 28 of these were successful. Only 5 of the 40 applicants without legal representation were granted bail.

Some judges ensure that the applicant or legal representative is able to present the case and challenge the bail summary (that is, the document giving the Home Office 'case' for continued detention). Others accept the Home Office case without question, despite guidance which makes the immigration judge responsible for providing support in these unrepresented cases.

At times the immigration judge failed to follow what rules do exist. In regard to health issues, this



November 2011

included the refusal of bail to at least two mentally ill people and a torture survivor (with independent medical report) – people who are listed by UKBA as among those who should not normally be detained.

Nine applicants did not receive the bail summary in advance, as is their right according to the Home Office's own rules. Despite pre-2005 guidance that failure to produce the bail summary in advance should normally lead to bail being granted, this happened only once.

Different courts operate differently – video-link is used much more frequently in Newport and Birmingham. Observers describe how use of video-link technology disadvantaged the bail applicant. The chances of getting bail at Newport and Hatton Cross are much lower than in the other two courts. There are also differences between different judges. 'My decision means nothing,' said one immigration judge on announcing whether a detainee would be free or not. 'Another judge can make a completely different decision.'

Over a third of applicants needed interpretation and this was particularly difficult if the application was heard via video-link. Interpretation was not always satisfactory and in one instance no interpreter was provided though one was needed.

Nearly half the observers found that the proceedings were irregular in some way. A third said explicitly that, in their view, the process had been unfair. Some observers came to the conclusion that, given various faults in the system, a fair hearing was virtually impossible to obtain.

Our evidence suggests that the bail system is fundamentally flawed in terms of providing a fair hearing. And that is leaving aside the question of whether a state should have the right to impose 'administrative detention' – unacceptable when it comes to British citizens – on innocent migrants in the first place.

Apart from ourselves and those directly involved in the proceedings, not one member of the public was observed attending any of these 115 bail hearings. Justice has to be seen to be done, or injustice will step in.

CAMPSFIELD MONITOR

Bail hearings are happening out of sight, away from public scrutiny. We hope our report is meant to encourage the public as well as journalists to monitor the activities of the immigration courts, bail hearings in particular.

We want

- Independence of immigration judges from the UK BA
- Automatic entitlement to legal representation
- Published guidelines and training for immigration judges.
- Scrapping of video-link hearings
- Accountability, scrutiny, monitoring.

The report can be found on closecampsfield.wordpress.com and hard copies obtained by emailing info@closecampsfield.org.uk

A detainee's view

"This judge completely ignored the ethical requirement of the profession that gives no room for any partiality between the contending parties. He addresses me uncaring of the consequences of his utterances. The hatred he has for me was so manifest. He was blunt in his approach and he was openly prejudiced towards me. I felt so humiliated by his actions.

"He reacted stating that his advice for me was to withdraw all my judicial review claims and get on the plane to Nigeria if I do not want to continue suffering myself in detention. He said I'm the one suffering myself and he could not help my situation unless I help myself by getting on the plane to Nigeria. He never commented on my medications and condition in particular but concluded that the onus is on me to save myself the pain of detention."

– Extracts of complaint from Abiola Ayobola, 28 July 2011, then a detainee at Campsfield House, about his bail hearing, held via video link.

New bail guidance – Will they make any difference?

In July, after a gap of years without any, new guidelines on bail hearings were issued to immigration judges. The Bail Observation Project welcomes their publication. They provide a useful benchmark for judges and others concerned about the process of immigration bail hearings. Will they, however, make a difference?

The right to liberty

In our report *A Travesty of Justice?* We recommended that judges demonstrate that they approach each bail hearing with a presumption of liberty. The new guidance affirms the fundamental right to liberty for all whether British citizens or not (para 1) but goes on to say that a person may be legitimately deprived of their liberty when *the immigration authorities are investigating whether a person who is not a citizen is entitled to enter or stay in the United Kingdom or while a decision has been made to remove a person from the country.* Detention has an administrative function. Yet, *by contrast with criminal proceedings there is no statutory presumption in favour of release in immigration detention cases (para 26).* The notes go on to say that nevertheless bail should not be refused unless there is a good reason to do so. We recommended that there should be a practice direction putting the burden of proof on the Home Office to demonstrate evidence of imminent removal and to show that all alternatives to detention had been considered. The new guidance contains several paragraphs relating to the burden of proof e.g. *it is for the immigration authorities to justify the need for detention (para 11); bail should not be refused unless there is good reason to do so and it is for the respondent to show what those reasons are (para 26)*

However the notes add that attempts to apply strict burdens of proof may be misleading and *either party may need to provide relevant evidence to support their case (para 27).* A common reason for refusing bail is that removal is said to be imminent. The notes do not define what is meant by *imminent removal* or determine when removal is imminent.

Length of detention

Although the 2011 guidance says that there is no predetermined limit (para 15) it goes on to give a timescale: *it is generally accepted that detention for three months would be considered a substantial period of time and six months a long period.* These timescales may provide a useful yardstick.

Conduct of hearings

We had recommended that both sureties and members of the public should be admitted to bail hearings and the new guidance has provision for this (Annex 6, para 2) with the exception of cases where there are concerns of justice or privacy (main guidelines para 13).

Video-link hearings

We are dismayed however that video link is now regarded as standard (para 66). The amount of time allowed for consultation between the applicants and their legal representative, where available, is 10 minutes which is too short.

The Bail Summary

The new guidance has brought back the time of making the summary available to the applicant from 2.00 pm to noon of the day before the hearing. However it is suggested that, in the absence of the bail summary, *the judge may be able to infer the reasons for detention from other available information (para 6)* This is a cause for concern. We recommended that, in the absence of a lawyer to represent the applicant, the judge should question the bail summary. The guidance does not address this. There appears no longer to be an automatic right to bail in the absence of a bail summary.

Accountability, scrutiny and monitoring

We recommended that there should be an independent written record of bail proceedings and other hearings in immigration courts, available to the public/interested parties. The new guidance says that *immigration judges will keep a clear record of proceedings.* Reasons for refusal must be given in sufficient detail to be clearly understood (para 67).

Guidelines and training for Immigration Judges

The guidance refers to family life and separation from young children, but does not address the mental health and independent medical advice raised in our report.

Conclusion

We are disappointed that so many of the recommendations in the BID report published last year (*A Nice Judge on a Good Day: Immigration Bail and the Right to Liberty*) and in our own report are not addressed. We have submitted our opinion on this to the First Tier (Immigration an Asylum) Tribunal review of the guidelines, and shall be carrying out a further round of bail hearings observations. Interested? Contact gillbaden@talktalk.net

Two great fundraising benefits

In March, Robb Johnson and Tracey Curtis gave a 'Hands Off Put Friends' benefit gig at the Folly Bridge Inn in Abingdon Road.

A second benefit was held in East Oxford Community Centre in October with ranter poet Attila the Stockbroker and Oxford band The Knights of Mentis (see photos).

Huge thanks to all the artists who gave their all for free, thanks to which a great time was had by all; and lots of money raised to fund campaign actions.



Immigration detention in the UK: a short briefing

Immigration detention is a major plank in UK immigration policy. The UK Borders Agency claims that detention is necessary to facilitate removal and is used only as a last resort and for the shortest time possible, when removal is imminent. The Joint Committee on Human Rights report *Treatment of Asylum Seekers* (2007) found evidence that detention was used as a deterrent and also its application was often arbitrary.

In the second quarter of 2011, 6,337 people were detained. Of these 2,938 had claimed asylum. In total 3,850 were removed, 49 got leave to remain, 1,926 were given temporary admission, 443 were bailed. (Home Office website)

Broad categories of those detained for the purpose of removal are:

a) *Asylum seekers deemed failed*. Most have had poor or no legal representation. Cases often have not been properly heard. Many detainees are torture victims. Disbelief, even in the face of evidence, is common. People are returned to areas of conflict such as Afghanistan, Iraq, Iran, Democratic Republic of the Congo, Sudan, Somalia.

b) *Overstayers*. People who came legally, with a visa, but at some point failed to renew it. In some cases they have been here for 20 or 30 years and have all their family here. Detention and removal contravenes their right to family life under Article 8 of the European Convention on Human Rights (ECHR).

c) *Foreign National Offenders*. These are people who have committed a crime, served their sentence and then get double punishment: immigration detention and a deportation order. Many had previously been given refugee status here or indefinite leave to remain, but lose it.

d) *Detainees wanting to go home* often wait in detention for months before arrangements are made. In some cases removal is not possible, usually where those held are deemed to be stateless.

Alternatives to detention are not considered, such as allowing people the dignity of working to support themselves, as they do in Canada. Victims of torture are denied their rights even when independent medical evidence is overwhelming. Bail is refused for reasons such as 'will abscond', 'is a danger to the British public' (often for working without a permit), 'has used deception to enter the UK so cannot be believed' – none of which are justified by the Immigration Judges. Many detainees are held for months, years in some cases.

Home Office information shows that of those people in detention at the end of June 2011, 1,061 had been in detention for less than 29 days, 516 for between 29 days and two months and 465 for between two and four months. Of the 643 remaining, 143 had been in detention for between one and two years and 74 for two years or longer.

Immigration detainees have not been charged with an offence and there is no time limit. It is purely administrative for the convenience of the UK BA.

The human cost for detainees of the whole detention 'industry' is unacceptable. It is well documented that immigration detention has a devastating effect on the mental health of asylum seekers and other detainees. The many cases of self harm and attempted suicides in detention are evidence of this.

The massive financial burden for the taxpayer is another story. The average cost to detain one person for a year is about £45,000 (*Hansard*, Column WA67, 4/2/2010). The private security firms that run most of the eleven Removal Centres are making huge profits.

There are some 3,450 immigration detention beds. About 25,000 people are detained under immigration law each year – about the same number as imprisoned in Campsfield over the years since 1993.

November 2011

Calais: from the closure of Sangatte centre to the London Olympics

10 years of human rights abuses caused by the regime of border closure

2012 will represent ten years since the “problem” of migrants coming to Calais is supposed to have been officially “solved” when the British pressure on the French authorities resulted in the closure of the Red Cross run Sangatte centre. However the dramatic reduction in number of refugees living rough on the streets of Calais and the surrounding area has not happened because there are somehow less people being forced to flee wars poverty and oppression trying to find a place to survive: the reduction in numbers on a local level was an immediate consequence of systemic violence and repression and human rights abuses meted out by the authorities. These policies have been intensified over the past years, with the destruction of squats and jungles in and around the Calais region.

One such squat ‘Africa house’ which has housed many African refugees in Calais, has been destroyed and then reopened elsewhere three times in two years. This destruction of shelter and personal property is a daily occurrence as is Police harassment and arbitrary arrest. The result is the complete destitution of people who have already lost everything but the shirts on their backs

A spirit of resistance and a determination to expose and to try to stop the violence people are being subjected to, was born at the No Border Camp that took place in 2009 with the creation of Calais Migrants Solidarity (CMS). That resistance has been growing ever since with more and more UK activists involved as well as activists coming from France and all over Europe, who bring with them a diversity of forms of solidarity whether it be direct action, material help-tents and sleeping bags, food and cooking facilities or cultural or musical events, language classes or just straight forward friendliness and information giving: this means a great deal to migrants who otherwise find themselves alone in a dehumanizing situation.

Some CMS activists have spent weeks and

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sometimes months living in the squats and jungles alongside migrants. This commitment enables building the trust necessary to do solidarity work and to enable people to react effectively when alerted for a Police raid.

This year the true injustice of the situation there was exposed in the French media with the release of videos by CMS and No Border activists, two widely read national media (Les Inrockuptibles and Rue 89) showing damning evidence of the CRS and border Police (PAF) exposing migrants to violence as well as torture. One video showed the Police practice of driving their van into the old Africa squat playing music at top volume, the idea being that sleep deprivation would eventually make people leave Calais.

In the last years the repression in Calais -the objective of which is to make the refugees invisible- has driven them into the fields or woods of the surrounding areas or pushed them back to Paris; but it has also forced them to move up the coast to try their luck at Dunkerk or Ostende or elsewhere. Recently the repression and destruction of shelters in so called “jungles” along the North coasts of France and Belgium are resulting in forcing migrants back to Calais. Thus the same policies of repression have spread along the coast and escape is ever more difficult.

In 2012 Calais will play a role in providing training facilities for teams attending the London Olympics; we expect the repression in the months leading up to and during this time to reach even more extreme levels. We hope you’ll make some time in your diaries and come to Calais to help us resist and denounce the situation created by the border there and elsewhere.

<http://calaismigrantsolidarity.wordpress.com/>

ILS SONT DANGEREUX



November 2011

UK BA collaborates with Turkish government on new detention centres

From *Hansard*, 6 September 2011:

***Andrew Smith** (Oxford East, Labour)

‘To ask the Secretary of State for the Home Department what the proposed (a) locations and (b) operational dates are of the reception and removal centres to be established in Turkey under twinning arrangements with the UK Border Agency; and if she will make a statement.

***Damian Green** (Minister of State (Immigration), Home Office; Ashford, Conservative)

‘Turkey has proposed the seven new [750-bed, open] Reception, Screening and Application (RSA) centres for asylum seekers and refugees will be near the cities of Ankara, Erzurum, Gaziantep, Izmir, Kayseri, Kirklareli and Van. The proposed sites of the two new [closed] removal centres for illegal migrants will be Ankara and Erzurum co-located with the RSA centres. Turkey has yet to finalise all the details regarding construction of the centres, which has not yet commenced, so the precise operational dates are not known, but it is not expected that any will be operational before 2013.’

The above answer avoids detailing the UK BA’s role as the schemes’ leading Twinning Partner. This was ‘won as a result of its excellent track record on the reception of asylum seekers and the removal of illegal migrants’, according to a letter from Damian Green to Andrew Smith (25 August 2011).

According to the same letter the project ran from January 2010 and ended in June 2011. ... ‘as far as we are aware the Turkish authorities have made no decisions as to who these providers will be or the anticipated level of provision of these services’ (health, education, legal and counselling). ... Turkey, as a [EU] candidate country, will have to demonstrate compliance with the relevant parts of Chapter 24 (Justice, Freedom and Security) of the EU aquis in its reception and removal centres as part of any approval procedures before admittance to the EU.’

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STAR

Student Action for Refugees, or STAR, is a national network of student groups that work in a variety of ways to improve the lives of asylum seekers and refugees in the UK. Set up by Students at Nottingham University in 1994, we focus on promoting positive images and breaking stereotypes through various awareness raising campaigns, volunteer and get involved in a number of local refugee projects, and engage with broader campaigns and organizations in order to promote various issues and bring about change.



Oxford STAR has been going for some years with fluctuating activity. However, this year we have a number of particularly enthusiastic members, old and new, getting involved in projects and campaigns in the local area. We run a weekly sports club for young asylum seekers and refugees that takes place on Fridays after school, and currently have a number of events in the pipeline: we are currently working on setting up a conversation club in East Oxford to begin in the new year, we are organizing food collections across local student networks for destitute asylum seekers, and are promoting and joining the Close Campsfield demo this Saturday 26th November—we hope to bring along a large group of motivated people to support this important campaign.

We are also one of many organizations involved in the ongoing ‘‘Still Human, Still Here’’ campaign, which calls on the government to make realistic but vital policy changes. This will include a ‘‘sleep out’’ in February 2012 and we are currently working on monthly actions that will raise these issues in a public forum.

If you'd like any more information or want to get involved in any of the above projects we meet at 7pm every Monday during term time upstairs in the Living Room of the Oxford Hub, Turl Street Kitchen. Here are some useful links:

<http://www.star-network.org.uk/>

<http://groupspaces.com/staroxford/>

<http://oxfordhub.org/xwiki/bin/view/Oxford+Hub/>

<http://stillhumanstillhere.wordpress.com/>



Meeting in Brussels: 10th Anniversary of PICUM

PICUM – the Platform for International Cooperation on Undocumented Migrants, is a non-governmental organisation (NGO) that aims to promote respect for the human rights of undocumented migrants within Europe.

As members of PICUM we were invited to take part in the 10th Anniversary meeting from 24th to 25th June 2011, in Brussels. The focus was “Advocating for the Human Rights of Undocumented Migrants: Strategies, Successes and Opportunities”

PICUM provides a direct link between the grassroots level, where undocumented migrants' experience is most visible, and the European level, where policies relating to them are deliberated. PICUM reports on issues regarding undocumented migrants through its members' experiences and simultaneously monitors developments within the

European institutions. The event brought together over 100 PICUM members from 15 European countries, to share their respective initiatives and to exchange lessons learnt. The focus was on:

1. Advocating for fair working conditions of undocumented migrants;
2. Strategies to promote empowerment of undocumented women;
3. Countering the social exclusion of undocumented families with children; and
4. Surmounting barriers in access to health care services.

The Chairman gave us the opportunity to speak to the whole assembly about the Bail Observation Project and the injustice we found to be entrenched in the Immigration first-tier tribunals in the UK. Bail from immigration detention was a concept unknown to many present. Our report was of great interest and widely distributed.

It is ironic that a major area of discussion was about improving working conditions for undocumented migrants. Members were shocked to learn that in the UK it is a criminal offence to be working without documents. The UK also appears to be worst in terms of detention, in particular with no time limit. The great worry is that the trend across Europe will be for all countries to adopt a unified approach – the lowest common denominator – in all aspects of the treatment of these immigrants.

Breach of the Peace Samba

Breach of the Peace is a local radical samba band:

<http://cardinalfang.net/samba>

We want to play more often at Campsfield demos (it makes a big difference to the morale of people inside) but need more people up for joining in. No prior experience/ability needed; all welcome! Practice: Mondays (EXCEPT first of the month) 7.30pm east Oxford Community Centre, Princes St, Cowley Road. Interested? Email owen@riseup.net

Visit a detainee! Contact the campaign or **Asylum Welcome**, 01865 722082, Magdalen Road (behind Pegasus Theatre), Cowley, Oxford <http://www.asylum-welcome.supanet.com/>

Fundamental Rights Conference

Supporters of the Campaign attended the EU Fundamental Rights Agency conference in Warsaw on 21-22 November on the subject of the Dignity and Rights of Irregular Migrants. The conference was attended by 300 people from grass roots campaigns, migrant organisations, NGOs, the academic world, governments and international organisations including human rights bodies, also Europol and Frontex.

In the first plenary questions session, one supporter clarified matters substantially by asking the panel to choose between, on the one hand, a mass deportation programme that would not be acceptable/practicable and, on the other, the regularisation of the immigration status of undocumented migrants.

In the report-back from the Detention workshop (one of four), detention without extremely strict controls/limits (including time limits) was defined as 'cruel and degrading treatment' by the chair of the Council of Europe Committee for the Prevention of Torture and Cruel and Degrading Treatment. A campaign supporter made a short speech in the final plenary on the involvement of private companies in running detention centres in the UK, on the issue of 'slave labour' of detainees paid a pittance to work cleaning, in kitchens etc., and on medical care being compromised by profit. A contribution was made to the Judicial Review section of the Detention workshop based on our *Travesty of Justice?* Bail Observation Report and most of what we wanted on Judicial Review was in the recommendations from the Detention workshop. NB These were verbal reports back; we'll see what it says in the print report.

The FRA will publish a report of the conference. The latest FRA report, published at the conference, is *Fundamental Rights of Migrants in an Irregular Situation in the European Union, a comparative study*.

http://fra.europa.eu/fraWebsite/research/publications/publications_per_year/pub-migrants-in-an-irregular-situation_en.htm

Evidence given to UN Universal Periodic Review

Also in November, the campaign submitted brief, 4-page evidence to the UN's Universal Periodic Review of human rights (United Kingdom), 13th Session 2012. The evidence, which deals with points made elsewhere in this *Monitor*, is available on the campaign website.

Bail for Immigration Detainees

BID prepares bail hearings; makes written applications for Temporary Admission; helps detainees run their own bail hearing; campaigns. BID, Methodist Church Centre, Jeune Street, Oxford, OX4 1BN Tel. 01865 200 357, Fax 01865 793 009, Mobile 07824 877 508 ionel@biduk.org www.biduk.org

Medical Justice

Trains local doctors to give independent medical advice to detainees. Arranges for medico legal reports where necessary and also campaigns for improved health care. Meetings every three months and everyone is welcome. To join the mailing list or find out more contact: rjoxford@yahoo.co.uk All referrals for medical reports should to: med@medicaljustice.org.uk

NoBorders

Network of groups resisting migration controls and the persecution, detention and exploitation of migrants. Practical solidarity and direct action; working towards a world with no borders. noborders.org.uk Oxford: <http://noborders.theoarc.org.uk/>

Medical Foundation

Cares for survivors of torture. The Oxford local supporters group can be contacted via Halcyon Leonard on halcyon.leonard@ntlworld.com or 01865 452783. (www.torturecare.org.uk)

Refugee Resource

Offers counselling and therapeutic activities, employment advice, mentoring and coaching. Old Music Hall, 106-8 Cowley Road, Oxford OX4 1JE, Monday to Friday 9-5. Tel. 01865 403 280 / 0845 458 0055. www.refugeeresource.org/

Campaign to Close Campsfield

info@closecampsfield.org.uk

01865 558145 / 01993 703 994

Demonstrate: last Saturday of the month at noon.

Meetings: first Tuesday, 7.30, Oxford Town Hall

Email list: To join, send an email to

closecampsfield-subscribe@yahoogroups.com