

Britain: Protests as High Court rules government illegally detains asylum seekers

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Asylum seekers at two of Britain's largest detention centres have been protesting at the conditions in which they are being held.

At the weekend some 93 immigrants and asylum applicants at Campsfield House detention centre, near Oxford, which can hold up to 100 people, began a sit-in at the centre's main sports hall. Most of these have also been refusing food since Saturday morning.

Almost simultaneously a demonstration was begun by 75 refugees at the Haslar Holding Centre in Gosport, Hampshire, which holds up to 160 people including some asylum seekers. Refugee groups reported that the Haslar protests started on Sunday evening, when detainees refused to return to their dormitories and demanded to meet with the governor and chief of immigration.

When the meeting promised for Monday morning did not materialise, the detainees began a hunger strike. Within hours prison staff were withdrawn from the building and the "Mufti squad" (equipped with riot shields and batons) were sent in. A statement by the Prison Service said that the Haslar protest had "ended peacefully" at 9.00pm and that several of the detainees had been transferred to Winchester prison. At the time of writing, the Campsfield protest is continuing.

The protests were in response to Friday's ruling in the High Court, London that the detention of four Iraqi Kurds at the Oakington centre in Longstanton, Cambridge had breached their human rights. Oakington is a "fast-track" centre used to hold asylum seekers, whose applications the Labour government deems unlikely to succeed. It is nominally designated as a reception centre, rather than a detention centre, because those sent there have not done anything illegal nor are they thought likely to abscond and are therefore not supposed to be subject to restraint.

Acting for the four men—Shayan Baram Saadi, Dilshad Hassan Osman, Rizgan Mohammed and Zhenar Fazi Maged—lawyer Rick Scannell said claims by the immigration authorities that Oakington ran a "a relaxed regime" did not square with reality. Under the centre's house rules, the refugees are locked into their rooms and are also required to return to their rooms in the former military barracks when required by staff. Fathers are separated from their children at night and mail must be opened in front of officers. They can only eat at set times, must carry ID cards, obey all staff instructions and are only allowed restricted visits. Such restrictions, Mr Scannell argued, "touch upon areas of private life which are the cause of civil liberties debates".

The court heard that the four applicants were all Kurds who had fled from the autonomous area set up in northern Iraq after the 1991 Gulf war. Iraqis are the largest group of asylum seekers in Britain. Despite the fact that successive British governments have justified the war, the subsequent economic strangulation of Iraq and continuous bombing raids on the grounds of Saddam Hussein's persecution of the Kurdish minority, the vast majority of claims from the region are rejected.

Of the hundreds of thousands who flee Iraq each year, only one to two percent actually reach Britain. Saadi, a doctor, arrived in Britain on December 30 last year and immediately claimed asylum. The Court heard that Saadi had been arrested by the Patriotic Union of Kurdistan (PUK), after he had treated three injured members of the Iraqi Workers' Communist Party. After his release, he had fled to Britain. Saadi's application was rejected on January 8, 2001, but he had been granted temporary admission in order to appeal the decision and had later been taken to Oakington.

Osman and Mohammed had both been smuggled into

Dover, England, in two separate lorries. Osman arrived with four others on December 4, 2000 and travelled to the Immigration and Asylum Directorate's headquarters in Croydon where he applied for asylum. He was sent from there to the Oakington centre, where he explained that he had been a member of the PUK living in an area controlled by Saddam Hussein's Ba'athist regime. His asylum claim was rejected on December 11, as was that of Mohammed's, an ex-member of the Islamic Movement of Iraqi Kurdistan, who had arrived on December 6 and claimed asylum on the grounds that he feared persecution by former colleagues.

Maged also arrived at Dover on December 6, and again applied for asylum on the grounds that he feared reprisals by former colleagues in the PUK. He was sent to Oakington and his claim was rejected on December 16, 2000.

All four had been granted temporary admission to appeal the rejection, but only Mohammed has subsequently been granted asylum.

In his summation, Mr Justice Collins said that he expected his ruling to affect a number of other Oakington refugees, but he warned that it did not mean all detention, including that practiced at Oakington, was illegal. The government, he ruled, can still detain people individually with "good reason" but it cannot detain a person purely on the grounds of their nationality, nor simply in order to speed up administrative procedures. "Detention should only be used as a last resort," Justice Collins said.

The ruling brought a furious response from the Labour government. Home Secretary David Blunkett described Justice Collins's decision as "deeply disturbing", whilst news reports said that he had privately expressed anger at the "human rights lobby" for seeking to undermine immigration procedures. The authorities have been given leave to appeal the decision.

Under present legislation, refugees claiming asylum are either placed in prison, a detention centre or "dispersed" to areas around the country. There are usually 1,800-plus asylum seekers locked up at any one time. According to the Refugee Council, "the UK already had the worst record across Europe for detaining asylum seekers before this Government came to power. Since then, the figures of those being

detained have more than doubled, with over 65 percent being forced into prison regimes. They are held for an indefinite period of time with no information on how long this might last and are denied written explanations of why they are being detained."

In a statement released by the Campsfield protestors, the refugees said that their hunger strike was "a cry for help from within the inhumane and undemocratic detention system." Arguing for "lawyers in the UK, in the name of humanity and human rights, to take up the challenge this ruling [by the High Court] represents" it called for the adoption of "processing centres rather than detention centres" and for detention to be limited to three months, "after which those with close family link would be granted bail or temporary admission for a reasonable recognisance".



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