

Britain: report alleges assaults on immigration detainees

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18 April 2005

Organisations involved in protecting immigrants' rights are calling for a public inquiry after compiling 35 cases of alleged assaults by immigration personnel against asylum seekers.

Details of the alleged abuses are contained in a report drawn up by the Campaign Against Racism and Fascism (CARF), Stop Arbitrary Detentions at Yarl's Wood (SADY), and the National Coalition of Anti-Deportation Campaigns (NCADC). Charges of assault have been made against Group 4, Loss Prevention International, United Kingdom Detention Services and several other agencies involved in the detention and removal of immigrants.

The interim report into the "use of excessive and gratuitous force" gives a glimpse of the horrendous conditions that detainees face. A full report is due out in June 2005.

Most of the cases relate to the transport of asylum seekers—either between detention centres or during deportation. Evidence of the assaults is taken from cases referred to four legal firms—Birnberg Peirce & Co, Hickman & Rose, Christian Khan and Harrison Bunday. Many of the detainees involved have been persecuted, detained and tortured in their home country and fear further persecution on their return.

Some of the cases reviewed in the report are taken from *Harm on Removal: Excessive Force against Failed Asylum Seekers* by the Medical Foundation for the Care of Victims of Torture, which found that 12 out of the 14 cases investigated showed that excessive or gratuitous force had been used. The detainees' conditions included loss of consciousness, bruised and swollen limbs and ligaments, testicular pain and inability to eat solid food.

The Medical Foundation found that the injuries could not have resulted from the use or misuse of established

techniques. In a number of instances, force was used even after the removal attempt had been abandoned. In one of the incidents cited, a detainee complained that whilst she was handcuffed, her head was banged against a fire extinguisher (causing a scalp laceration), pressure was applied to the angle of her jaw, and she was slapped, whilst an officer pulled and twisted the handcuffs.

The majority of cases covered in the interim report came to light through the observations of visitors to immigration detainees. Most of these visitors are volunteers, who are only able to visit the immigrants in their spare time, which results in them seeing only about ten percent of all detainees.

Visitor and support groups report that they receive calls from distressed and injured detainees on a daily basis. The most serious cases are referred to solicitors. However, the authors of the report believe that visitors get to see only "the tip of the iceberg." Consequently, the report gives only a glimpse of what the fuller picture may be. In addition, the report states that "most detainees who are assaulted are removed from the UK," which means many incidents of violence never come to light.

The report's findings show that 34 percent of the allegations have been made against the private security firms Group 4, owned by Global Solutions Limited (GSL), and Loss Prevention International.

Most of the cases documented involve allegations of abuse at the airport or during transit to the airport. The injuries sustained include: cuts, bruises and swelling; nerve damage (from handcuffs); sexual assault; urethra/groin damage; cracked shoulders; fractured fingers; serious head injuries, and the exacerbation of psychological problems.

The report points out that independent doctors have

documented these injuries in a small number of cases, but that it is extremely difficult to find available and appropriately qualified doctors to go into detention centres at short notice to conduct an examination free of charge.

The report's authors state, "[B]y the time we have been able to find such a doctor, the detainee has already been removed. Independent doctors can be commissioned by a solicitor as and when a legal action is initiated—the doctor is then funded by legal aid. However, often by this stage injuries are no longer visible."

There is a financial motivation if a "successful" removal occurs, and because there is no monitoring of removals, there is little "come back" on the perpetrators of violence.

There is also evidence that some asylum detention staff enjoy using force. This was made explicit in the BBC documentary *Detention Undercover—The Real Story*, in which undercover researchers caught on camera scenes in which staff employed at two GSL-run operations committed violence against detainees, or boasted about participating in violence—including sexual abuse.

The report points out that most of the cases covered were reported to the police. Of these, five percent resulted in an arrest and five percent are still under investigation. In 25 percent of cases, the results of the police investigation are not known, and in the remaining 65 percent of the incidents reported to police, no further action was taken.

The authors also have concerns that emergency call facilities have been withdrawn from immigration centres. Whilst calling for a full public inquiry, the authors of the report show how the Home Office has failed to demonstrate that it has acted on the outcome of previous reports of assault allegations in any meaningful way. The case of the Prison Ombudsman Inquiry into allegations of violence and abuse at Yarl's Wood, which concluded that most of the allegations were true, is a case in point

The report also points out that most allegations do not result in a solicitor taking up a case because detainees are not aware of their rights or no action is possible.

This is made worse by the fact that many detainees do not have any friends, family or visitors to help them progress a claim. Some feel intimidated by the

perpetrators of the assault; some detainees have been threatened with counter prosecution for actions they may have taken in self defence. In addition, detainees may not be able to identify which contractor employs the person that assaulted them, and may conclude that without direct evidence of an assault, they will not be believed.

None of these reported incidents are an aberration. Rather, they are the continuation of procedures practiced under both Labour and Conservative governments entailing brutal methods against immigrant workers.

In July 1993, Joy Gardner, a Jamaican mother of two, was killed during an immigration raid on her home. A Workers Inquiry initiated by the International Communist Party (forerunner of the Socialist Equality Party) and held in November 1995 found that Joy had died as a result of the restraint methods employed by three officers from the Alien Deportation Group (ADG), a secretive police unit that specialised in forcible deportations under the authority of the Home Office.

In the aftermath of her death, a concerted cover-up was organised to exonerate the police officers involved and cover over any connection between the practices of the ADG and government policy towards asylum seekers and immigrants. Twelve years on, the situation has degenerated to a point where physical attacks on asylum seekers and refugees take place on a daily basis.



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