

# British government jails migrants as “people smugglers,” excludes and mistreats child migrants

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Two more migrants have been jailed by British courts for the “crime” of steering small dinghies across the English Channel. Fouad Kakaei, 30, and Sadrallah Bahador, 35, both Iranian nationals, were vilified and jailed for two years. When their sentences have been served, they will be deported under draconian laws. Kakaei attempted to claim asylum but was instead arrested and held on remand until his trial.

These and other migrants are being jailed by Prime Minister Boris Johnson’s Conservative government for taking the tiller of their flimsy vessels while crossing the Channel. Those filmed steering the craft are being charged with “facilitation”. Desperate people seeking shelter are being sent to prison for preventing their seaborne craft from drifting aimlessly in the dangerous conditions of a busy shipping lane.

Only the BBC, the British state broadcaster, even bothered to report on the sentencing of these two men. This virtual news blackout keeps from the British population the crimes carried out by the Johnson government.

Aneurin Brewer, defending Kakaei, said, “Many of the other migrants on board agreed to assist with piloting the boat” and his client was “merely unfortunate enough to be the one left holding the tiller when the boat was interdicted”. Kakaei agreed to pilot the boat because he feared the occupants of the vessel would not safely make the crossing otherwise and “nobody else could do it”.

The judge who presided over Kakaei’s case, Mark Weekes, accepted that the Iranian national had a “well-founded fear of persecution” in the religious theocracy, but in a truly facile and contradictory response stressed, “I do not accept that ultimately you didn’t want to get

into the boat *or that any form of duress applies in your situation*” [emphasis added].

Dan O’Mahoney is the Home Office’s Clandestine Channel Threat Commander, a position created by Home Secretary Priti Patel for the purpose of presiding over the relentless hunting down of immigrants and asylum seekers attempting to make the perilous journey from mainland Europe to the UK. O’Mahoney absurdly spoke about how Kakaei’s actions “risked lives” and that this prosecution “put a stop to that cycle of criminality”.

Concerning Bahador’s sentencing, O’Mahoney again sought to paint a desperate migrant as a potential mass murderer: “The vessel Bahador was steering was designed to hold just eight people, but it was carrying nearly twice that number. The lives of everyone on board this dangerously overcrowded boat were at risk.”

O’Mahoney turned reality on its head, claiming the crossings were only made possible by pilots who were willing to take control of vessels rather than the conditions created by the wars waged over the last three decades by British and American imperialism in the Persian Gulf, Middle East and North Africa and the grinding poverty and oppression suffered by masses of the world’s population.

He insisted, “That is why it is so important that we continue to prosecute those who have taken the helm and demonstrate that there are serious consequences to their reckless actions”.

The continued pursuit by the Conservative government of a “hostile environment” for those seeking shelter in the UK is devoid of any decency and boundaries. On January 26, the government announced that unaccompanied child refugees will no longer be

granted sanctuary in the UK. Immigration Minister Chris Philp said that regardless of the previous commitments made in the Dubs Amendment of 2016, which required the government to support asylum seeking children, the British government will no longer offer a legal route to the UK for these children.

The Dubs scheme was initially meant to offer settlement to 3,000 child refugees, but was eventually capped at just 480 places. This figure was reached by May 2020.

The only children able to seek the assistance of the UK will be those with relatives already residing in the country. In northern France there are currently almost 288 lone minors who are hoping to reach Britain but do not have relatives in the country. Vulnerable children will have no legal alternative to placing their lives in the hands of smuggling gangs in an attempt to reach the UK.

On February 6, the *Independent* reported that “scores of child refugees” were illegally detained by the UK authorities after making it across the Channel in small boats last summer. The detention of minors for more than 24 hours is banned under the Immigration Act of 2014, and detention for a longer period is only permitted in “exceptional circumstances” and requires the home secretary’s permission. Nevertheless, 80 unaccompanied minors, one fifth of those who attempted the journey, were jailed for periods of time exceeding 24 hours in a processing centre between April and September 2020. One child was held for almost three days, 65 hours, and denied proper sleeping facilities and access to fresh air. This constitutes both child abuse and torture.

Children’s Commissioner for England Anne Longfield said the government was “wilfully ignoring the plight of vulnerable children.” There was a “pressing need” to improve processes for minors arriving in Kent, as well as safer, legal routes of entry. “These are vulnerable children who have often lived through unimaginable horrors, and they should be treated as such rather than being stuck in waiting rooms for days on end.”

Last October, a Prison Inspectorate report detailed how unaccompanied minors were often held overnight at an intake unit in Kent, without access to the open air and with next to no natural light. The figures revealed by the children’s commissioner do not include time

that the minors spent in the “non-detained” part of the Kent intake unit once their initial claims were processed. Their movements are still limited during this period of time, which exceeded 95 hours on several occasions.

The director at Detention Action, Bella Sankey, laid the blame for this disgraceful situation firmly at the door of Patel. Her “refusal” to properly resource local councils to accept child refugees, explained Sankey, placed child welfare “gravely at risk” and potentially meant “hundreds more children are detained as Channel crossings increase again this year”.

In January, the government confirmed they would no longer provide a safe and legal route to the UK for lone child refugees and thereby create the conditions for minors to turn to even more dangerous and fraught routes.

Enver Solomon, chief executive at the Refugee Council, said the charity was “deeply alarmed” and that “Children who travel to the UK seeking safety have endured horrific experiences both in their home country and during perilous journeys to the UK. On arrival, it is not unusual for these children to present with physical injuries, hypothermia, dehydration and serious mental health needs. They should be treated with compassion, not subjected to prolonged detention while waiting to be taken into care. The welfare of the child must come first in every single case.”



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