

The new regime - Yarl's Wood as a short term holding facility for cross channel refugees

Report by Movement for Justice
12th October 2020



“All my hope is for protection, my life was in danger and I hope I can get the protection I need”



“All the time I was in Yarl's Wood I was in shock, confused, I didn't know what was happening, what was going to happen”

Contents

- 1. Introduction (1)**
- 2. On arrival to Yarl's Wood (2)**
- 3. Access to legal advice (3-4)**
- 4. Victims of trafficking and torture (4-5)**
- 5. Phones (5)**
- 6. Access to medical care (5-6)**
- 7. Screening Interviews (6)**
- 8. Release (7)**

1. Introduction

It was announced in August 2020¹ that Yarl's Wood was no longer being used to detain women. Following enquiries from NGOs and the media the government confirmed that Yarl's Wood had been 'repurposed', and its small short-term holding facility expanded to detain refugees who have crossed the Channel.

Movement for Justice has many members who were formerly detained in Yarl's Wood and have for over 12 years campaigned for its closure.

After speaking to different organisations and solicitors we realised that none of the usual NGOs or solicitors who would normally have access to detainees in Yarl's Wood were representing any of the cross-Channel refugees who are now being held there. There was a general feeling of unease in the sector that no one knew what was happening to those people.

Because of this, Movement for Justice decided to hold our 15th 'Surround Yarl's Wood' demonstration on Saturday 5th September, in the hope of connecting with those currently held there and establish what the new regime is.

As a result, we managed to make contact with a number of the detainees who were held in Yarl's Wood at that time. We have spent the time since then speaking to those detainees, finding out what has been happening and connecting them with support. We also demonstrated on 25th September and made contact with more detainees.

This is an account of what these detainees have told us about the new regime in Yarl's Wood.

Since Saturday 5th September we have had in-depth discussions with seven of the cross-Channel refugees who have been held in Yarl's Wood and initial contact with a further thirteen.

This report is the result of those 20 in-depth and initial contacts.

Countries of origin: Sudan (6), Eritrea (4), Iran (3), Kuwait (2), Ethiopia (2), Iraq (2) and Libya (1)

All those we spoke to were men, all arrived in the UK in September and had made the journey in boats across the Channel.

- 8 out of 20 gave indications that they were victims of trafficking
- 12 out of 20 had been victims of torture, including rape, in their home country and/or on their journey to the UK.
- 6 out of 20 disclosed severe torture, enslavement, rape, abuse and extortion while in Libya.
- Only 1 out of 20 was fluent in English and 2 had minimal English. The rest had no English and we communicated with them through interpreters.
- The longest any of the 20 were detained in Yarl's Wood was 7 days, most were held for 6 days.

1 BBC News (Look East) Report 18/08/2020: <https://www.bbc.co.uk/news/uk-england-beds-bucks-herts-53810521>

2. On arrival to Yarl's Wood

“They took us to the waiting room and stayed there for 2 or 3 hours, a lot of us were dirty and in pain, so tired. They fingerprinted us, wrote name, nationality and sent us to our rooms. The next day they told us the rules - time for food, how to see the doctor etc but they don't explain why we are here and when we will be free to leave or what is happening. They never told us anything about legal advice. They spoke very fast with strong accents so even though I speak some English it was hard to understand.”

“As soon as we arrived they searched us, took our mobile phones, money and metal objects – only allowed to keep clothes and cigarettes. They took us through lots of big doors, so many doors it felt like a prison – it felt very confusing, like we were trapped. ...They never told us anything about why we were there or what was happening – we didn't even know the name of the place or what it was. Everything they said was in English. The next day nobody explained to me anything either, or the days afterwards. I had screening on fourth day and that was the first time they had an interpreter for me”

“I was exhausted and distressed because they did not return my bag to me, I was very confused about what was happening. Nobody told me anything in Arabic or English, I couldn't understand anything. On third day after interview they put me in a room separate from everyone because I had a cough – I was scared and alone. The first time I knew anything about what was happening was when MFJ were outside.”

All of the cross-Channel refugees we spoke to had arrived on the shores of the UK exhausted, frightened, dirty from the journey and terribly hungry.

They were held for most of the day in Dover before being driven to Yarl's Wood. They had been given food and drink in Dover but they were still dirty and exhausted, afraid of what was happening to them.

They arrived in Yarl's Wood between the hours of 8pm – 1am, they described everything being very confused, there were no interpreters or materials in their first language to explain anything.

They were fingerprinted, basic details taken, their belongings were taken, some were given £5 they could use in the shop and they were given a basic phone before being taken to their room.

Only 1 out of the 20 people we spoke to said they were told on arrival at Yarl's Wood why they were being detained and where they were. This was the person who is fluent in English.

19 out of 20 did not understand what was happening, nothing was in a language they could understand. Even those with some English struggled to understand what they were being told because of the speed of the person's speech and unfamiliar accents.

Some people saw a nurse or doctor on the night of their arrival, but there was not an interpreter so communicating beyond very basic things was impossible.

3 out of 20 described being held in the waiting room on chairs until the early hours of the morning.

3. Access to Legal Advice

“On the third day I got a list of solicitors but I had no credit to call, some friends called the solicitor but were told they could not do anything for them until after 5th October”

“I was not given a list – some friends were given a list but when they tried to call the numbers no-one in the office they called could understand them as English only.”

There was an inconsistent pattern of whether people were told they could access free legal advice or not. No one was told about the Detention Duty Advice Scheme (DDAS) or told they could book an appointment to speak to one of the duty solicitors.

All bar 1 were told nothing about their right to a solicitor in the first 3 days after arrival in Yarl’s Wood. It is notable that the only person who says he was told about his right to free legal advice was the person who was fluent in English.

6 out of 20 people we spoke to were given a printed list of 4 solicitors firms and Bail for Immigration Detainees, with a note at the bottom (in English) saying the detainee could access Skype if they needed to.

This list was given to them all after 3 days of being detained (or longer). None could read the note at the bottom about Skype access and none knew that they could ask to use Skype or an office phone.

1 out of 20 described being given the list of solicitors on the day of his screening interview (the 6th day) and being told that he was not allowed to contact any solicitor until after his two week quarantine period.

4 out of the 6 people given a list of solicitors attempted to call some of the numbers. They all experienced problems where they could not explain themselves due to language difficulties.

3 were told they would be called back with an interpreter but that never happened and 1 (who spoke more English) was told by one of the firms that they could do nothing for him until October.

Word got around the detainees about it being pointless to even try to call these numbers. That, combined with the phone credit problems (see below) meant people gave up trying.

1 detainee twice told the caseworker in his screening interview that he did not want to answer more questions without legal advice – even then they did not tell him about how he could get a solicitor.

It is worth noting that most of the detainees we spoke to had no understanding that they were in a detention centre called Yarl’s Wood and would struggle to explain to someone on the phone where they were.

We asked all 20 if they would have accessed the DDAS if it were available (we explained that it was a process where a member of staff would book an appointment with a solicitor & interpreter for them while they were in Yarl’s Wood). All 20 responded that they would have utilised this facility if it was available to them, in fact the responses were definitive....

“YES – of course – I would have seen a solicitor straightaway”

“I wanted a solicitor, I needed a solicitor – yes I would have done that”

“YES – I wanted a solicitor”

“Definitely YES”

Since their release MFJ has only managed to secure certain legal representation for two of the 20 asylum seekers. Legal Aid immigration solicitors are extremely over capacity and it is difficult to find representation.

MFJ has been working hard with very limited resources to try and connect asylum seekers with other support organisations and charities who can help with casework or finding legal representation but all are overstretched and the process takes time.

The problems in finding representation are compounded by language difficulties, the fact so many are released to accommodation around the country to areas where there are few legal aid immigration solicitors. Many do not have phones to contact support organisations/solicitors or send crucial documents.

4. Victims of trafficking and torture

“They asked if I was tortured, I said yes but they asked me nothing more about what I went through”

“It was such a confusing and horrible place, I did not know what was happening... it was very frightening for me.” (Victim of trafficking)

8 out of 20 of the detainees we spoke to have been through torture, abuse, rape and/or forced labour either in their home country, in Libya or elsewhere on their journey to the UK.

2 out of 20 described desperately trying to tell detention centre staff about what happened to them but they were not listened to.

None of the 20 detainees we spoke to have been referred to the NRM process from their time in Yarl’s Wood or recommended to contact an organisation that could help with an NRM referral. This is despite 8 out of 20 of the detainees we spoke to showing clear indications of being victims of trafficking.

A greater number had been subjected to torture at some point in their lives and bore both physical and mental scars from that experience. None were given a Rule 35 assessment.

Case Studies:

M from Sudan, imprisoned by gangs in Libya and subjected to forced labour and torture including rape. On arrival in Yarl’s Wood there was nothing provided to him in a language he could understand, he was not told anything about his right to free legal advice. After three days in Yarl’s Wood he was given a list of solicitors on a piece of paper written in English but by that time the £1 credit on his phone had run out so he had no means to call the solicitors. MFJ has seen this list and there is a note at the bottom in English that detainees can ask to use Skype facility – but M could not read this. M described how other detainees managed to call the solicitors but were told nothing could be done for them until after 5th October (some 3 weeks later).

At some point in Yarl’s Wood he saw a nurse or doctor but without an interpreter it was impossible to communicate his complex medical and mental health difficulties resulting from torture and rape.

M’s screening interview lasted just 25 minutes, which M describes as mostly miscommunication with the Egyptian interpreter who spoke a different dialect of Arabic. M describes how he did tell the person in the screening interview about the torture in Libya but

no further questions were asked and he was told nothing about the NRM. A large number of questions in his screening interview were marked as 'not asked'. M was sent to a hotel in Leeds with no support or connections and no solicitor to represent him. Thankfully he is one of those for whom we have now secured representation and a referral to the NRM is now being made.

H from Sudan, suffered enslavement and torture in Libya and as a consequence of his experiences suffers from severe anemia and fainting. He described to us how distressing and confusing his time in Yarl's Wood was. The interpreter in his screening interview was Tunisian and they had difficulty understanding each other, the screening lasted 20 minutes.

He says that he was asked if he was tortured, he told them yes but they didn't ask him anything else about his experiences – he wanted to say more but because of the problems with the interpreter he felt he could only communicate yes or no.

He was given a list of solicitor's after his screening interview (on the sixth day after arrival) but he was told that he was not allowed to contact them until after his 14 day quarantine period. We are unfortunately still trying to secure legal representation for H.

5. Phones

"I called my family in Iran to tell them I was safe, it was maybe one minute before the phone ended"

"I tried to call my family but the reception was so bad I couldn't hear them, then the phone cut out."

On arrival in Yarl's Wood detainees' personal phones were taken from them and they were given a basic phone to use in detention.

All 20 were given just £1 credit on their phones; all bar one used this £1 on the first day to call their families back home to tell them they were safe.

Those conversations lasted 3-7minutes; one detainee said his money was wasted because the reception was so bad his family could not hear him.

One detainee used his credit to call MFJ following our demonstration and we were later able to top up his phone credit. We have since through online fundraising been able to top up the credit of over 100 cross channel refugees.

No-one was given any additional credit.

After their credit was used up they were completely isolated from any external support or connections.

6. Access to medical care

"I saw a doctor that first night who checked temperature, I tried to tell him I suffer from a lot of problems and need help but he didn't understand me, I used what English I had and he said someone would speak to me later but no one did" (torture survivor and victim of trafficking)

"The first time I saw a doctor was on 27th (5days after arrival), no interpreter. Any pain we had we were just given paracetamol."

4 out of 20 of the detainees we spoke to had physical health conditions for which they tried to seek medical help. None of the 4 who saw a doctor or nurse in Yarl's Wood had an interpreter.

12 of the detainees we spoke to expressed signs of mental ill health, depression, insomnia, nightmares and anxiety.

All 20 at some point saw what they believed to be a nurse or doctor.

Many of those with more serious health concerns were deeply frustrated and upset because the medical professional they saw could not understand what they wanted to communicate.

2 of the 20 tried to explain to the medical professional that they were victims of torture; they said no notice was taken of this and they couldn't communicate enough to explain fully what they were going through.

7. Screening Interviews

"(The interpreter) was not Sudanese, was Egyptian, there were a lot of problems – he could not understand me"

"They had an interpreter but he was Turkish so we couldn't understand each other at all. They left me waiting hours while they got another interpreter, I was very anxious and wanted to get the interview done. The next interpreter was Afghani and also we struggled to understand each other but I said to just go ahead because I didn't want to keep waiting. I couldn't understand a lot"

"It was very basic, they asked how did I come, what do you want from the English government, did you claim asylum elsewhere. I told them I didn't want to say anything till I had spoken to a solicitor but still they did not tell me how I could do that, they just ended the interview."

All of the 20 detainees had screening interviews in Yarl's Wood; both the case manager and the interpreter were on the phone.

3 out of 20 said that their interpreter spoke a completely different dialect to them (for example a Sudanese detainee whose interpreter was Egyptian) and most of the time was spent trying to understand each other.

All of the screening interviews were notably short,

2-10mins (9)

11-30mins (10)

45mins (1)

Of the 6 screening interview records shared with us, there are a significant number of questions marked 'not asked' including questions about torture, trafficking and family in the UK.

1 out of the 20 was asked about torture but was not asked to say anything more.

8. Release

“I feel like prisoner in the hotel as well – can’t even buy cigarettes – after quarantine (said 14 days inc. Time in Yarl’s Wood) they told me I must be back by 6pm every day – what happened in that place (Yarl’s Wood) and now in the hotel is bringing back trauma, bad memories of what happened to me”

All of the detainees we spoke to were transferred to hotels or other forms of accommodation around the country. They were given no information about how to access local support services or find a solicitor.

Many of the people we spoke to had only one set of clothes; one had lost his shoes and is still wearing the flip-flops he was given in detention, none have warm winter clothes.

Those who had personal mobile phones on arrival were told that their phones would not be given back to them for some time, they were given instructions for how to apply to get their phone back – the instructions were in English. None of those who had their phones taken have been able to secure their return.

All of their paperwork was in English, several had been given Preliminary Information Questionnaires to fill out with a deadline but had no idea what to do as they could not read the papers and have no representation.

At no point in their time in Yarl’s Wood was any paperwork given to detainees in any language other than English.

None of the victims of trafficking and torture were provided with additional support or referred through the NRM.



Report produced by Movement for Justice

movementforjustice.co.uk

contact@movementforjustice.co.uk

[@followmfj](https://www.instagram.com/followmfj)

[facebook.com/movementforjustice](https://www.facebook.com/movementforjustice)