Quaker statement on immigration detention

by Quaker Asylum and Refugee Network (QARN)

That which is morally wrong cannot be politically right.

We urgently call for the ending of indefinite detention, which is fundamentally unjust and causes much suffering to its victims.

As Quakers we believe that there is that of God in everyone. We see the Testimony to Equality as clearly relevant to our concerns about those migrants and asylum seekers who are kept in detention. They are treated much worse than those born British.

The right to liberty is a fundamental right enjoyed by all people in the United Kingdom, whether British citizens or subject to immigration control. It is a right established in common law as well as protected by the European Convention on Human Rights. Recent anti-terror legislation that allows for terror suspects to be locked up without being charged has been controversial. There has justifiably been an outcry about it and the time limit has now been reduced to 14 days. However, thousands of people are kept every year in detention by the UK Borders Agency with no date set for their release, yet there is no public outrage about this.

The Immigration Act 1971 first included the power to detain immigrants; later legislation has extended or amended that power. People can be detained on arrival in the UK as immigrants or when seeking asylum, if considered likely to abscond, or when they have already been refused the right to remain and deportation is expected to be imminent.

The decision to detain is made by immigration officers without reference to a court. In theory each detainee has the right to apply for bail after 7 days, but many people are unaware of this procedure and find it difficult to access legal advice. The immigration court ‘judges’ do not have to be trained or experienced to the level of senior judiciary, inadequate records are kept, and in many cases the Home Office view that the applicant is likely to abscond is accepted without evidence.

In theory it is Government policy not to detain survivors of torture or those with serious medical conditions or mental health problems, but in practice even proven survivors of rape and torture, pregnant women, and those with severe mental and physical health problems are often found in detention. Many innocent men, women and children who have been locked up in immigration detention centres have suffered severe mental health problems, with detention in many cases adding to trauma already suffered in their home country.