

# Imprisoned and innocent

Claire Mock-Muñoz de Luna looks at the impact of the UK immigration detention system on the mental health of separated young people

What do you tell an 18 year old who is so afraid of being deported by the Home Office that he would rather kill himself? How can you support him when he is detained, locked up for two months and treated like a criminal when he is innocent? How do you cope with knowing that your client is trying his hardest to die, and that you, on the outside, can't give him hope; and all your efforts to get him released from detention seem to lead nowhere?

In this article I will share a first-hand account of a young Afghan's experience in detention. I want to raise awareness of the factors that may lead to the deterioration of a vulnerable young person's mental health, and I want to highlight the practical measures counsellors can take to attempt to secure the young person's release, to support them emotionally, and to help build their capacity for resilience, no matter what the outcome of their detention.

Providing consistent emotional support and ensuring that a vulnerable young detainee doesn't feel forgotten are valuable and effective ways of protecting their mental health and building their capacity for resilience. While professionals may often feel powerless and frustrated when trying to understand the detention system, there are a number of measures one can take to assuage the detrimental effects of detention.

After his release from detention, the young man

agreed to share his experience, with the help of an interpreter, as he was keen to give professionals some insight into what happens in detention, and how people outside the detention centre supported him.

## No longer a child but still vulnerable

This is the story of a young man, Hamid (name changed to protect anonymity), who was picked up and locked away in a detention centre in West London for two months. Hamid came to the UK from Afghanistan approximately two years ago as a 16 year old separated child or unaccompanied minor. The Convention on the Rights of the Child and the Children Act define a child as any person under the age of 18. Separated children suffer greatly from the loss of all that is familiar: home, family, community, language, culture and way of life. Separated children is the term commonly used to describe children who are 'outside their country of origin and separated from their parents or legal or customary carers'. This term recognises that 'children separated from their parents suffer physically, socially and psychologically as a result of being deprived of the care and protection of parents or other primary carer(s)'<sup>1</sup>.

Hamid left Afghanistan after his father, a Taliban collaborator, disappeared, and he, the only son in his family, became a target. He left behind his mother and two sisters, all of whom he has lost contact with. I became Hamid's advocacy worker more than one and half years ago, when he joined DOST: Children and Young People's Service. DOST, developed more than five years ago and based in East London, aims to provide a safe, therapeutic, and caring environment for vulnerable children to develop their self-esteem, confidence and build positive relationships.

Most separated children come to the UK in a state of shock and confusion; many have experienced trauma as a result of having lived through violent conflict. Separated children may have been forced to join militias as child soldiers, be victims of rape and sexual violence, be HIV+, have witnessed the killing of family members, or they may have been trafficked for the purposes of labour or sexual exploitation.

Separated children are extremely vulnerable and face many challenges and responsibilities as they attempt to adjust to life in the UK; ie their asylum claim, language, accommodation, education, health, budgeting, self-care, rebuilding a support network and accessing social services support<sup>2</sup>. When separated young people turn 18, their asylum application has been refused and they have exhausted all their appeals, they are left with few options: return to the country they fled voluntarily or by forced removal, or remain in the UK illegally. At this stage separated young people are also liable to be detained. In my experience, these scenarios drastically increase the young person's levels of fear, anxiety, vulnerability and risk of exploitation.

As Save the Children's report entitled *No place for a child*<sup>3</sup> clearly shows, detention severely impacts on



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the mental health of separated young people. While the report refers strictly to children, a Save the Children development officer, Dunya Alnawab, insists that separated young people aged 18 or older are still vulnerable. 'Whether someone is 17 or 18 years old, it doesn't make much of a difference in terms of their vulnerability. They were formerly looked after by the local authorities, and have therefore been recognised by a statutory body as vulnerable and in need. If immigration was not an issue, the young person would still be supported after their 18th birthday under the Children (Leaving Care) Act 2000.' She cites research by the Australian Association for Infant Mental Health<sup>4</sup> that indicates a strong correlation between children and young people re-living trauma, ie through detention, and a significant decline in their mental health. Save the Children is calling on the government to introduce alternatives to the detention of children.

### Picked up with just the clothes on his back

Hamid had adjusted well to life in the UK. He worked tirelessly on his English, went to college, and was diligent and committed to his studies. He rebuilt his social network and could count on a circle of supportive and dependable friends. Even when his case was refused and he had exhausted his appeals, he remained committed to his studies and his friends.

He was detained on a Tuesday morning in April of this year when he went to Beckett House by London Bridge for his weekly sign on. Beckett House is one of a number of Immigration Service Reporting Centres set up to improve the efficiency of removals.

Depending on the circumstances, a person may be asked to sign or report by phone on a daily, weekly or monthly basis. Some individuals are fitted with an electronic tag. These measures are meant to discourage people from absconding. Hamid had failed to sign on only once, the week before this story begins, when he went sailing with his school. As soon as Hamid told his teachers about his negligence, they immediately faxed the Home Office to explain the situation.

*As soon as I came back from sailing then I went to sign. There [officers] asked me to come inside a room. I waited there for three hours. They interviewed me very briefly, and then they told me they would transfer me to a centre. I thought [the detention centre] would be a camp, not a prison. But once I arrived there and the gates closed, then I realised that I was not in a camp but in a prison. My heart became so sad, I became so sad, that I thought my heart had stopped. I thought: now I am in prison.*

Hamid had been taken to Harmondsworth Detention Centre, near Heathrow Airport. He had with him only the clothes he had worn that day, a few pounds and some documents.

*The officers had told me that they would take me to a centre where I would have a proper solicitor. But when I got to the camp, there was no solicitor, nobody there to help me. When I arrived there, first*

*they searched me, then they [took] my picture. They [gave] me some clothes, one plate, and then they took me to a room where they told me to stay with another person. There were two of us sharing a room. They didn't tell me how long I would be staying there. They just explained to me about the schedule for the next day. They told me about the library and the English classes. They gave me a bowl of soup to eat, shampoo, a toothbrush and soap. It was eleven o'clock in the evening, and then I slept.*

### Confusion, fear, loneliness and despair

*At the beginning I was very sad, I was crying because I didn't know anybody and the environment was like a prison. At first I thought there was nobody from Afghanistan, and I just stayed in my room all the time. But slowly I got used to the prison. Sometime I went to the library and I spoke to other detainees there. It was a good way to make friends. Two days after arriving at the prison, I spoke to the officers there and they gave me a list of solicitors. I chose one of them and sent them a fax, but nobody showed up.*

Hamid's time in detention was marked by constant fear and despair.

*I was in fear all the time, especially in fear that they would deport me to Afghanistan. And all my thoughts were going around this issue, that if I go back to Afghanistan what would happen to me. They'd send me to Kabul where I have nobody and I don't know anyone. Also I was thinking that I might be killed there. They would kill me without knowing even who I was and why I was there.*

Save the Children's research cites a real lack of information about detention and the future, the interruption of education, difficulties in accessing legal representation as some of the main factors that contribute to the deterioration of a vulnerable person's mental health, no matter what their age<sup>3</sup>.

The above factors created fear and hopelessness in Hamid that led him to attempt to commit suicide three times while in detention.

*If they send me back [to Afghanistan] to be killed, then I'd rather be killed here. I was thinking all the time that I was fed up with life, especially life in a prison, and that it would be better to kill myself here. The first time I tried was right after they told me that I'd be deported the next day. I couldn't sleep at all. At four in the morning I took a sheet and I went downstairs to hang myself. One of the officers realised what I was about to do, so he handcuffed me and took me to a single cell where someone was guarding me all the time. A bit later that morning officers gave me another letter saying that I would be taken to the airport at 8am.*

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Hamid diluted the tobacco from an entire pack of cigarettes in some water and drank it. Then he charged the wall and hit his head and face against the wall repeatedly until he started bleeding and passed out. He was handcuffed, taken to the medical ward and afterwards into a single cell for the night. The next morning he was taken to Manchester Airport

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Back in his room, Hamid diluted the tobacco from an entire pack of cigarettes in some water and drank it. Then he charged the wall and hit his head and face against the wall repeatedly until he started bleeding and passed out. Again he was handcuffed, taken to the medical ward, and afterwards into a single cell for the night. The next morning he was taken to Manchester Airport.

*On the way to the airport and all the way onto the plane, I was shaking all over my body, and also I was crying.*

On the plane, an airline representative asked Hamid whether he wanted to go to Afghanistan. Hamid said no and he was escorted off the plane. That week he was moved to Colnbrook Detention Centre, next to Harmondsworth, where, according to Hamid, the detention officers did not treat him well, and acted in an obstructive manner. He describes wanting to send a fax regarding his bail application, and being told by one guard to come back in two hours. Two hours later, the new guard on rotation again told him to return in two hours.

Hamid tried to kill himself again a week later, shortly after officers attempted to take him to Manchester Airport for a second time. For some reason they turned around midway, and returned to Colnbrook.

*Then I realised that it is not worth to live and I took some blades and wanted to cut my wrists. Apparently the blades were not very sharp, and so I jumped from the third floor landing, but I still didn't die.*

Most detention centres have some sort of medical facilities, and a number also employ a psychiatric nurse. However, the counselling and other forms of medical support available to detainees is made obsolete by the mere fact that the context of detention has such a strong negative effect on their mental health<sup>3</sup>.

### Frequent transfers between centres

Frequent transfer of detainees takes place for a number of reasons. Sarah Cutler from Bail for Immigration Detainees (BID) explained that often detainees are transferred among the numerous detention centres as a result of quotas being met, beds becoming available and other administrative reasons. '[It is] an administrative system, set up to suit the administration and not the people in it,' she said of the detention system. Transfers are also used to punish 'trouble-makers'<sup>5</sup>. Detainees who try to kill themselves are often labelled as 'troublemakers' according to Ms Cutler. Save the Children also recognises that transfers between centres have a detrimental effect on young detainees, increasing their vulnerability, isolation, and disorientation<sup>3</sup>. The professionals working with Hamid from the outside only became aware of his frail state of mind and his attempts to kill himself when they managed to get him on the phone. Not even his social worker was notified by detention

centre officers. Supporting Hamid emotionally became especially challenging when he had been transferred between centres, or moved to the medical ward. Anyone trying to get in touch with Hamid had to call many times and speak to a number of detention centre officers before he could be located and he was able to talk. Most of the time, it was as if Hamid had been swallowed up by the detention system.

*I don't know really why I was moved so often. When I asked the officers, they didn't answer me, they told me that they were just there to implement the orders given to them by the immigration authorities.*

These frequent, arbitrary transfers not only negatively impacted on Hamid's mental health, they also thwarted efforts by professionals trying to secure bail and to support Hamid from outside. For example, at one point, the solicitor who was trying to secure bail was told that Hamid had been deported to Afghanistan, prompting the solicitor to consider closing the case, when in actual fact he was still in the UK. In addition, even with a letter signed by Hamid giving his social worker and me, his advocacy worker, permission to act on his behalf and share/ obtain information in all matters pertaining to his mental and physical health, and his application for bail, faxes somehow rarely reached their destination, and we were almost always told that information could only be shared with his legal representative.

### Not forgotten

During the two months Hamid was in detention, he received support, practical and emotional, from his teacher, friends, advocacy worker, social worker, his accommodation manager, and his solicitor. In terms of attempting to secure Hamid's release, I liaised with his former solicitor, as well as a number of organisations that could potentially assist him in securing his release, such as BID and the National Coalition for Anti-Deportation Campaigns (NCADC). I also spoke to visitor organisations that could help him fill out an application for bail and visit, such as the Association for Visitors of Immigration Detainees (AVID), and the Jesuit Refugee Service. I liaised with the social services team responsible for Hamid to ask them to guarantee his accommodation outside detention (a prerequisite for bail being granted), and asked them to stand surety. When they refused, I tried to identify volunteers who could stand surety, but in the end did so myself after consulting the solicitor. Hamid's social worker went to his flat and packed his belongings and brought them to the detention centre, in case he was deported.

Hamid's teacher visited him on many occasions with a group of classmates and friends, who were only allowed to visit if supervised by an adult with a British passport.

*Usually when I saw people visiting me, it was a very nice time, I became a bit happy. Yes, it was a good feeling.*

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Every Friday, during DOST's Youth Club attended by many of Hamid's friends, staff would let them use an office phone to call Hamid. The regular calls from friends, and frequent phone updates regarding our efforts to secure his release, proved valuable to Hamid.

*Whenever you called me I became optimistic, and when I didn't hear from you for period of time, I became a bit disappointed, fearing perhaps something had happened.*

There was little support inside the detention centre according to Hamid:

*There was no one to support me, except a Muslim Imam who came and told me that suicide is not good, that you should be optimistic, happy, and that you have to accept what is coming. It didn't help. No, actually his talks made me more upset because I thought he didn't care at all what happened to me.*

### Life after detention

Eventually, after two long months, Hamid was released. The Home Office is under no obligation to give reasons for a detainee's release. As a result, none of the professionals who fought for his release know which one of our efforts, if any, resulted in Hamid's release. This is especially frustrating in light of the fact that Hamid is not the first and won't be the last young person to be detained.

Hamid has returned to his shared flat and is hoping to continue his studies at his local sixth form college. Unfortunately, he missed his exams while in detention. As an 'end-of-the-line' asylum seeker, and no longer a child, the college will ask him to pay the overseas student fee, even if there is no indication from the Home Office as to whether or when he might be detained again and perhaps deported. He could remain in limbo, uncertain of his future, for years.

*I'm still in an uncertain situation because I don't know what will happen to me. Again I might be taken to a detention centre, and they might send me back. I'm still very fearful. Detention was a very bad experience, and whenever I think about it, I become sad because I think that without any reason I was taken to a prison.*

Hamid started attending a six-week programme of counselling.

*I still am not sure if [counselling] has affected me or not, but I think maybe it is useful for me. With the counsellor I speak about everything that happened to me, about all my problems. I see that someone is there to listen to my problems, and sometimes that's a good feeling.*

Hamid's detention experience, he says, has changed him fundamentally.

*I thought that when I came to England there would be human rights, that I would be treated like a human, and that I would be given freedom.*

*Unfortunately I feel disappointed, especially by the government. This government is not what I thought it was. I am not the same happy and optimistic person I was before, when I had just arrived in England.*

However, Hamid tries to focus on the present and the positive factors in his life.

*Since I am free from detention, I think it's better to appreciate my life here, to build my life, to study, and to try to do something with myself. Because my life is in danger in Afghanistan, and I can't return there, I'm really happy to be here, and I'd like to stay here. ■*

### References

- 1 Crawley H, et al. Working with young people subject to immigration control. Guidelines for best practice. London: Immigration Law Practitioners Association; 2004.
  - 2 Ayotte W, Williamson L. Separated children in the UK. An overview of the current situation. London: Refugee Council and Save the Children; 2001.
  - 3 Crawley H, Lester T. No place for a child. Children in UK immigration detention: impacts, alternatives and safeguards. London: Save the Children; 2006.
  - 4 Australian Association for Infant Mental Health. Submission to the National Inquiry into Children in Immigration Detention. 2003. Available at [www.hreoc.gov.au/human\\_rights/children\\_detention/submissions/infant.html](http://www.hreoc.gov.au/human_rights/children_detention/submissions/infant.html)
  - 5 Burnham E. Challenging immigration detention: a best practice guide. London: Immigration Law Practitioners Association and Bail for Immigration Detainees; 2003.
- Claire Mock-Muñoz de Luna has worked with asylum-seeking and migrant children and families for more than eight years, in the UK and the USA. For the past three years Claire has been an advocacy case worker for separated young people at DOST.*

### Other resources

- AVID – Association of Visitors to Immigration Detainees, [www.aviddetention.org.uk](http://www.aviddetention.org.uk). Umbrella organisation for visitor groups; provides training and resources.
- BID – Bail for Immigration Detainees, [www.biduk.org](http://www.biduk.org) Legal charity giving free advice on bail and release from detention.
- Burnham E. Challenging immigration detention: a best practice guide. London: Immigration Law Practitioners Association and Bail for Immigration Detainees; 2003. Available free from: [www.ilpa.org.uk](http://www.ilpa.org.uk).
- Cutler S. Fit to be detained? Challenging the detention of asylum seekers and migrants with health needs. London: Bail for Immigration Detainees; 2005.
- Medical Justice. Know your medical rights. Available at: [www.medicaljustice.org.uk](http://www.medicaljustice.org.uk)
- NCADC – National Coalition of Anti-Deportation Campaigns [www.ncadc.org.uk](http://www.ncadc.org.uk)

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