



Liberal Democrats for Seekers of Sanctuary

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President Lord Roger Roberts of Llandudno

## THE FUTURE of UK IMMIGRATION DETENTION *updated August 17*

### The Teather and Shaw Reports and the response of the Immigration Act 2016

Both the All Party Parliamentary Group (APPG) Inquiry into the Use of Immigration Detention chaired by Sarah Teather MP (2015) and the Shaw Report on the Welfare in Detention of Vulnerable Persons (published 2016) recommend that the UK should reduce its use of detention.

#### MAIN RECOMMENDATIONS

**TIME LIMITED DETENTION.** Teather recommended 28 days (in line with the Detention Forum Time for a Time Limit campaign) whilst Shaw sought to 'strengthen the legal safeguards against excessive length of detention'. Those detainees who cannot be deported to their former countries following a prison sentence and all unable to return due to ongoing armed conflict should also be released from detention and monitored within the community. ***The 2016 Immigration Act says there will be judicial oversight after detention of at least 4 months.***

LD4SOS says "This is not enough of a compromise, although it shows the Government is starting to take notice." Campaigns to reduce the length of time someone can be detained continue.

**NO DETENTION FOR VULNERABLE PEOPLE** The following groups were not considered suitable for detention: pregnant women, victims of torture, rape or FGM, people with a mental illness (including those suffering from PTSD - post traumatic stress disorder - and those whose condition began in detention), those with learning disabilities and LGBTI people. An upper age limit for detainees should be established (Shaw). ***The 2016 Immigration Act allows for some women to be detained in exceptional circumstances (not defined), up to 72 hours, extendable to 7 days.***

LD4SOS still maintains that no vulnerable person should not be detained.

**ALTERNATIVES TO DETENTION.** Shaw recommends the development of electronic monitoring as an alternative form of detention. Teather speaks of a wider range of community-based alternatives to detention that use 'quality engagement with individuals at all stages of the immigration process' rather than enforcement and detention. In Sweden this has led to voluntary returns of over 80%.

**BETTER DECISION MAKING PROCESS.** The decision on right to remain profoundly affects the future life of every asylum seeker and other migrants. Both reports recommend better decision making.

**CONDITIONS IN IRCS (Immigration Removal Centres) NEED URGENT IMPROVEMENT.** Both reports listened to a wide range of evidence, including from detainees, and understood the need for change inside IRCS. Particular concerns included the treatment of women in the custody of men, lack of interesting paid work, poor health care, lack of access to social media e.g. Facebook and no training which was of any use to detainees after release. **LD4SOS say, "However it is important that the Government is not allowed to focus on just making small improvements to conditions. It must make major moves to reduce detention and it really is time for a time limit of 28 days".**

LD4SOS say "This recent blog from Detention Forum , <http://detentionforum.org.uk/latest-detention-statistics-show-the-governments-detention-reform-remains-undelivered/> shows that there is no significant reduction in the numbers detained, we demand real, urgent and focussed progress.

The Immigration Act 2016: <http://www.ld4sos.org.uk/archives/693>; Shaw Report : [https://www.gov.uk/government/.../52532\\_Shaw\\_Review\\_Accessible](https://www.gov.uk/government/.../52532_Shaw_Review_Accessible); Teather report <https://detentioninquiry.files.wordpress.com/2015/03/immigration-detention-inquiry-report.pdf>