

IMMIGRATION DETENTION IN NORTHERN IRELAND: 2005 REPORT

Refugee Action Group

Introduction

This report is a statistical summary of the situation facing detained asylum seekers and other immigrants in Northern Ireland during 2005.

The figures are based on information gathered by Refugee Action Group volunteers in the course of weekly welfare and support visits to detainees in Northern Ireland.

This report is published in the absence of adequate official figures for immigration detention in Northern Ireland.

The Refugee Action Group has continually pressed the Home Office for accurate statistics in the public domain that state the number of immigration detainees that come to Northern Ireland, their country of origin and status when they have left here if leave to remain is denied.

This issue has become particularly important with the introduction of a new practice by the Home Office in 2005 of detainees being transferred directly from Northern Ireland to detention centres in England or Scotland or, in some cases, returned directly to their country of origin. The Refugee Action Group is concerned that these detainees may not be receiving immigration advice and, in the case of deportations, detainees' lives may be placed at risk if returned to countries guilty of serious and ongoing human rights abuses.

At present, we are denied records or data on the number of detainees who have been immediately removed from Northern Ireland and require reassurance that detainees are made aware of the availability of legal representation. This report strongly urges greater transparency in the detention procedure and openness in the availability of detainee records.

This point is underlined by the fact that the Refugee Action Group first became aware of the removal policy through isolated reports from friends of people who had been removed. The practice was further highlighted when it emerged that a female detainee from Eritrea, who was transferred to Scotland while her case was being discussed in the high court, attempted to commit suicide during her transfer.

There has been a longstanding campaign to end the detention of asylum seekers and others in Northern Ireland prisons. Detention in prison on a regular basis does not happen anywhere else in the UK or Ireland. Detainees held in prison have not committed any offence. The arbitrary nature of detention was initially highlighted by in the report *Sanctuary in a Cell* published by the Law Centre (NI) in 2000.

Since the publication of *Measuring Misery: detention of asylum seekers in Northern Ireland*, the 2004 Refugee Action Group report on the status of detained asylum seekers in Northern Ireland, immigration detainees have been moved from HMP Maghaberry to Crumlin Road detention centre and HM Women's Prison & YOC Hydebank Wood.

This report illustrates how the total number of detained asylum seekers and immigrants continued to rise during 2005. It also provides information on the gender breakdown of detainees, their place of arrest and what happens to the asylum seekers and immigrants after they were released from detention.

The Refugee Action Group publishes this report as a contribution to the efforts of its members and others to bring about an end to arbitrary detention of asylum seekers and end to the use of prison establishments in Northern Ireland for immigration detention.

February 2006

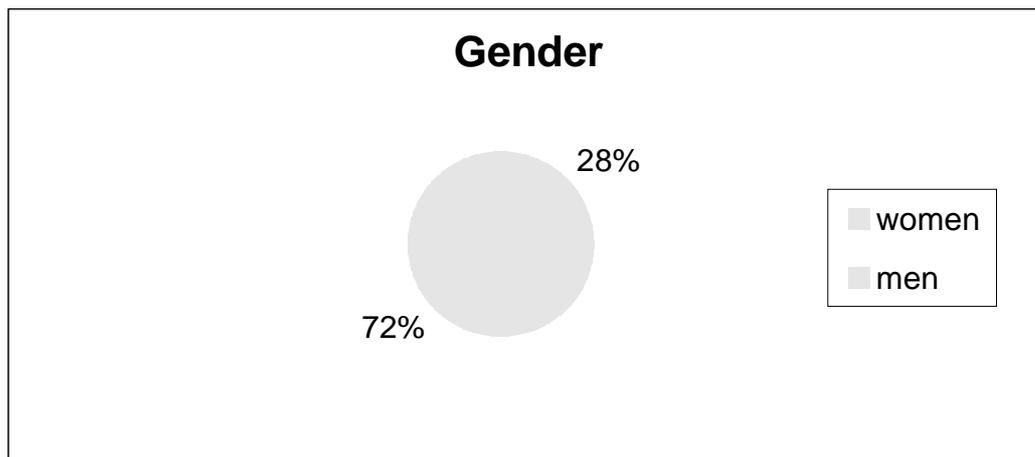
Number & gender of immigration detainees

Table 1

Total 120	Male 87	Female 33
-----------	---------	-----------

Gender of detainees in 2005

Figure 1

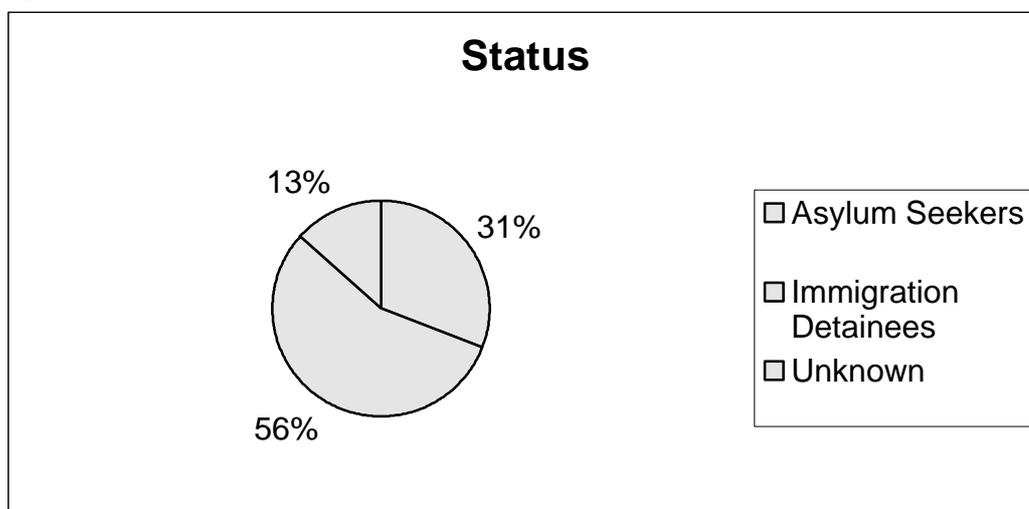


Status of Detainees

Table 2

Asylum seekers	Other immigration detainees	Unknown	Total
37	67	16	120

Figure 2



The number of immigration detainees in prisons within Northern Ireland has continued to increase.

In the 12-month period ending February 28 2005, there were 101 immigration detainees, about half of whom were asylum seekers.

By the year ending December 31 2005, this number had increased to 120 immigration detainees, a third of whom were asylum seekers.

Although the number of asylum seekers appears to have decreased slightly (the status of some detainees remains uncertain), the overall number of immigration detainees has continued to increase.

As Figure 1 shows, just over one quarter of the immigration detainees in Northern Ireland prisons during 2005 were female – who are held alongside other women prisoners in Hydebank Wood a institution which deals with male young offenders. There was no record of any children asylum seekers being detained though in 2005.

Length of Detention

Table 3

Less than a week	1 week-3 weeks	3 weeks-1 month	More than 3 months	On going in 2006	Total
49	43	22	3	3	120

During 2005, most immigration detainees were held for up to a month, with many held for less than a week before being released, deported or transferred to detention in Great Britain. At least three detainees faced periods in detention exceeding three months

Outcome for detainees on leaving detention

Figure 4

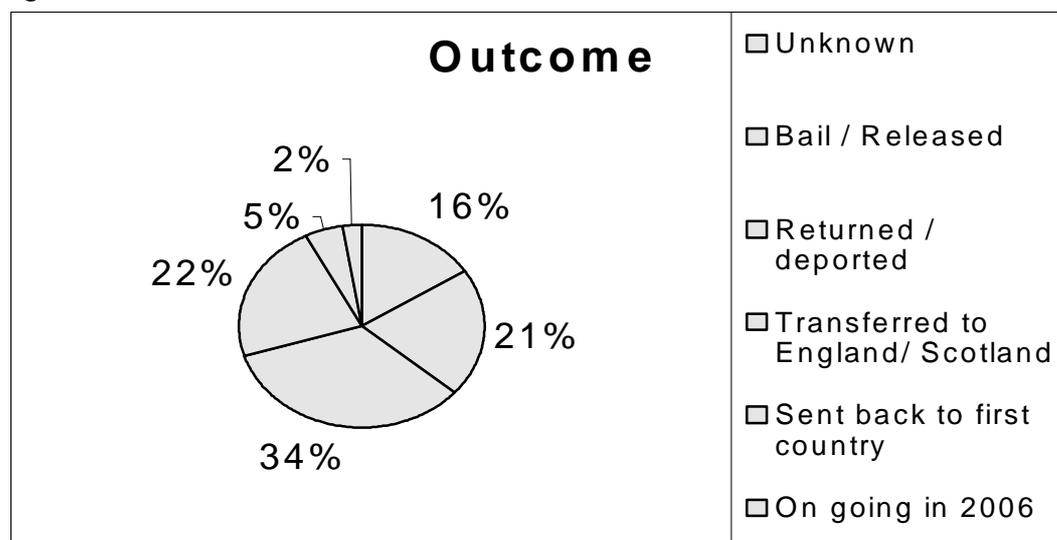


Table 4

Unknown	Bail/ Released	Returned/ Deported	Transferred to England/ Scotland	Sent back to first country	On-going in 2006	Total
18	25	41	27	5	3	120

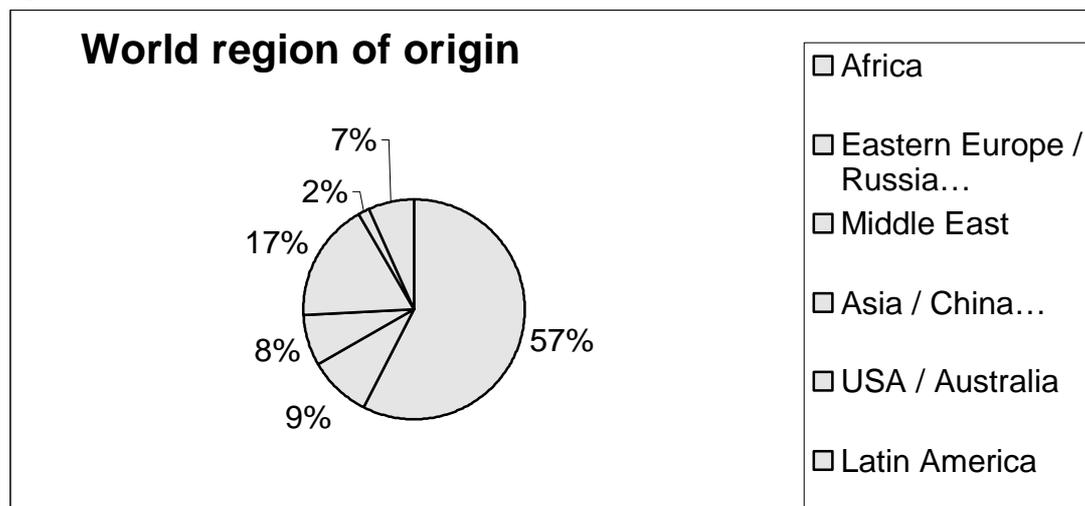
In 2005, the Refugee Action Group recorded what happened to the 120 asylum-seeking and immigrant detainees in Northern Ireland after they were released.

The most common outcome was to be returned or deported to their country of origin - the fate of 34% of detainees.

22% were allowed to stay after they were released while another 21% were transferred to detention centres in England or Scotland. We do not know what ultimately happened to those detained in England or Scotland.

World region of origin of detainees

Figure 5



Country of origin

Table 5

Country	No. of detainees	Country	No. of detainees
Nigeria	45	Angola	1
China	10	Australia	1
Brazil	8	Cameroon	1
Romania	8	Eritrea	1
South Africa	8	Ethiopia	1
Bangladesh	5	Georgia	1
Malaysia	4	Iran	1
Ghana	3	Kosovo	1
Sudan	3	Kuwait	1
Afghanistan	2	Liberia	1
Algeria	2	Palestine	1
India	2	Russia	1
Iraq	2	USA	1
Pakistan	2		

In 2005, the majority (57%) of immigration detainees in Northern Ireland came from African countries, most notably Nigeria, where 45 of the detainees originated. The high number of African detainees confirms reports from detainees themselves that black people are systematically targeted at airports and other points of entry. This is a worrying aspect of detention practice and suggestive of racist monitoring procedures that require independent investigation.

China (8%), South Africa (7%) and Romania (7%) were the other most common countries of origin.

Place of arrest

Figure 6

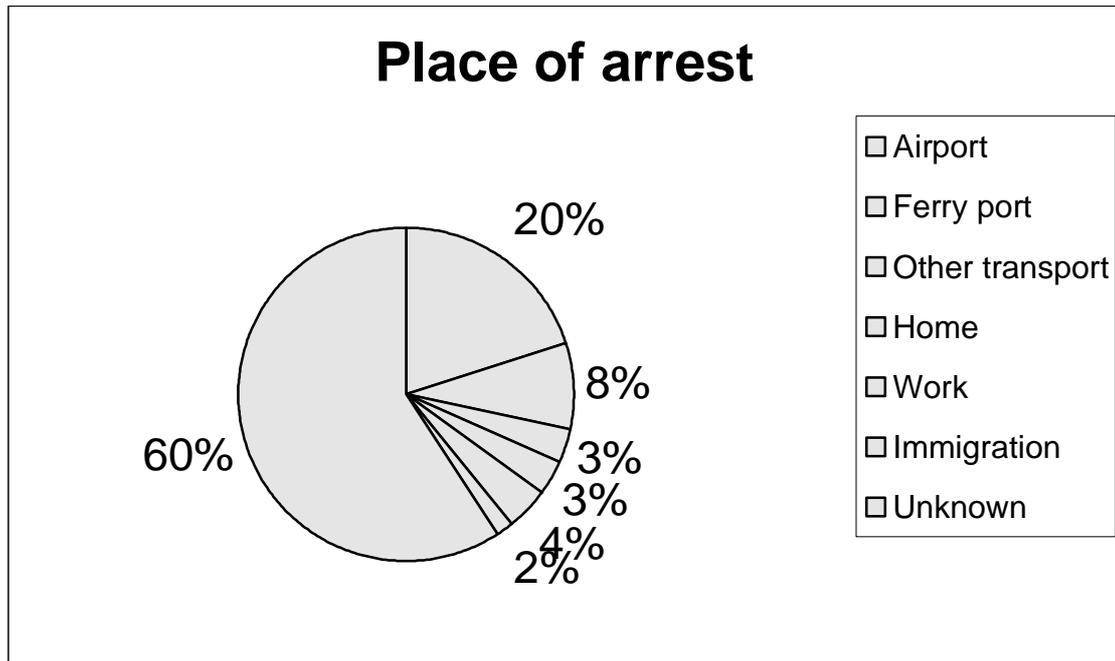


Table 6

Airport Belfast City airport 14 Aldergrove 4 other 6	Ferry Port	Other Transport (bus, train, car, etc)	Home	Work	Immigration	Unknown	Total
24	10	4	4	5	2	71	120

In 2005, the Refugee Action Group recorded where asylum seekers and immigrants were arrested before they were detained.

Because the group did not start to record the place of arrest until the middle of the year, a large percentage of the detainees in Northern Ireland had unknown places of arrest.

The largest recorded place of arrest is at the airport followed by the ferry port. All but 9% of the immigration detainees were arrested while entering the country.

Conclusion

The total number of asylum seekers and immigrants detained in Northern Ireland has continued to increase in 2005 with no evidence that the numbers will diminish in the coming years.

The percentage of women imprisoned has consistently risen throughout the time period that the Refugee Action Group has been collecting information. Given the problems already recorded by the Criminal Justice Inspectorate for Northern Ireland (*Women prisoners in Ash House, Hydebank Wood*, May 2005) and the Northern Ireland Human Rights Commission (*The Hurt Inside, The Imprisonment of Women and Girls in Northern Ireland*, June 2005) regarding the female prison regime at Hydebank Wood, this is a worrying trend that cannot go ignored by the Home Office or the Northern Ireland Office.

The significant number of asylum seekers (at least 37) detained during 2005 also remains a cause of major concern. Guidelines issued by the UN High Commissioner for Refugees permit detention in only a narrow set of circumstances: i.e. to verify identity, to determine the basis of the asylum claim where the asylum seeker has attempted to deceive the immigration authorities by destroying travel documents or using fraudulent documents, to protect national security or public order. Furthermore the guidelines state that detention should always be for the shortest possible period. There are concerns that these guidelines are currently not being followed, underlined by Amnesty International's 2005 report, *Seeking asylum is not a crime: detention of people who have sought asylum* (June 2005).

On the positive side, the length of time detainees have to spend in the detention centres is steadily decreasing, with most being released in under a month. Yet the new information that was not researched in the previous report highlights problems faced by many asylum seekers and migrants entering Northern Ireland.

Most of the detainees were arrested directly after entering the country. For some, this can prove to be a traumatic experience, particularly for asylum seekers who have risked so much in order to escape human rights violations or persecution in their country of origin.

The fact that a third of the detainees were returned to their countries of origin direct from detention in Northern Ireland will be of particular worry to those seeking asylum.

The transfer of detained asylum seekers and immigrants from HMP Maghaberry to Crumlin Road detention centre and HM Women's Prison & YOC Hydebank Wood has only partly improved the situation of asylum seekers in Northern Ireland.

Detention within the Northern Ireland prison regime leaves asylum seekers and immigrants with the stigma of being arrested and jailed and gives the impression to the wider public that these individuals are unwanted in Northern Ireland and somehow suspect or criminal.

The Refugee Action Group would like to see an end to arbitrary detention of asylum seekers and end to the use of prison establishments for all immigration detention.

Refugee Action Group

The Refugee Action Group (RAG) is an umbrella organisation of individuals and organisations in Northern Ireland concerned with the situation facing refugees and asylum seekers here.

It seeks to provide practical support and assistance to refugees and to inform the public about issues affecting refugees.

Member organisations

Amnesty International	028 9064 3000	www.amnesty.org.uk/ni
Belfast Islamic Centre	029 9066 4465	www.belfastislamiccentre.org.uk
Black Youth Network	028 9028 8277	
Centre for Global Education	028 9024 1879	www.centreforglobaleducation.com
Comhlámh NI	028 9020 0850	www.comhlamh.org
Democratic Dialogue	028 9022 0050	www.democraticdialogue.org
EMBRACE	079 6992 1328	www.embraceni.org
Latinoamérica Unida	028 9031 9963	info@latinoamericaunida.org.uk
Law Centre (NI)	028 9024 4401	www.lawcentreni.org
Multi-Cultural Resource Centre	028 9024 4639	www.mcrc-ni.org
NIACRO	028 9032 0157	www.niacro.co.uk
Northern Ireland Co-op	028 9335 7500	www.co-op.co.uk/membership