

Brook House Inquiry

Annex 1 to Duncan Lewis Closing Submissions

Witness comments on indefinite detention

This table extracts comments made by witnesses in the Brook House Inquiry (both in statements and live evidence) regarding the need to introduce a time limit for immigration detention and / or comments on the damaging impact of indefinite detention of people's health.

Document ID	Witness	Quotation
G4S and Home Office staff / contractors		
IPA000001	Ioannis Paschali	Para 117: "Detainees should not have their liberty taken away from them as they have not committed a crime. Ultimately, <u>there should not be any detention centres.</u> "
INQ000149		p.15: "It was similar, but it wasn't the same, because it --I wish I didn't know, when I went to Brook House, but it was different because the detainees there -- when you go to prison, you get a four-year sentence, five-year sentence, six-year sentence, people know what they've got to do and they know when they're coming out. <u>With the detainees, or detained persons, at Brook House, it wasn't the case, there were guys that were there -- they were there indefinitely. Mental health was an issue.</u> Violence was an issue. Stress was an issue"
MIL00003	Steven Webb	Para 107: "Finally, I am asked what changes I think could be made to Brook House to improve the health, safety, and welfare of detained people. I have very little to offer beyond the obvious of increasing staffing levels. <u>I think it is the concept rather than the execution that is problematic because if you lock people in what is effectively a prison for an indefinite amount of time then ultimately, however good the care is, they are going to suffer, particularly in respect of their mental health.</u> "
INQ000165		p.139: "I think the – <u>not having an end date</u> , not having a – and even some of the FNOs would say "this is worse than being in prison" because in prison you can count the days off, you can have it on a calendar, you can see when you're leaving. <u>There's no – there's no out date. There's no – it's just endless, I suppose, and an awful lot of them said that, so that was quite cruel, and I believe it was</u> ".
INQ000108	Callum Tulley	p.42: "...You were constantly bearing witness to the conditions in which the detainees were held. So even if you went through phases in which you weren't seeing abuse, you know, <u>the indefinite nature of the detention still remained and that was the most destructive element of detention. I mean, it was – it destroyed detainees, it completely stripped them of any sort of hope.</u> You could see the deterioration in the wellbeing of detainees over time, arriving at the centre with some hope that if they kept themselves together things would be find and as the weeks and months would pass on

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INQ000098		<p>and there was no prospect of release or removal you know you'd see people that were sort of seemingly together and – become – you know, start to self-harm, take drugs to attempt to take their own lives...<u>But I'm sure for many detainees it was not the abuse that was the worst element it was the indefinite nature of the detention which was the hardest thing, and that was visible</u>...it was such a bleak place...When it became apparent to them [detainees] that it was not the case [that they would not be released soon] <u>it was disastrous the impact that this would have on them, people going into Brook House without real mental health problems of their own, without being professional, you could see that they were developing</u>".</p> <p>p.15: "He (D1527) appeared down. It's obviously hard to assess someone's mental health when you're not an expert but he appeared – <u>he appeared increasingly distressed, depressed with his prolonged and indefinite detention</u>".</p>
INQ000163	Edmund Fiddy	<p>p.147: "I got told that it was a short term place ex-prisoner or people that are waiting for asylum or bail to go through with the solicitors at the Home Office. I got told they would be there for a maximum of 72 hours or three days. [Q: What was the reality?]. <u>It was ridiculous for the detainees because it was uncertain. You know, they would come from prison for example and they'd done two years or whatever and they were coming to us and it was indefinite.</u>"</p>
DRO00001	Husein Oozeerally	<p>Para 115: "And I also feel <u>there needs to a reduction in the stay within IRCs</u> (1 week maximum). Residents may also benefit from a certainty of outcome (whether the outcome is one that is deemed favourable or not)."</p>
INQ000169		<p>p.107: "A disbelief would imply that I don't believe the patient telling me in front of me. What I'm saying is that -- and it is clear that the identification of -- the focus of therapy, or treatment of our patient, was purely on the basis that they need to be removed from detention rather than the fact that the -- <u>sometimes it was the uncertainty of detention rather than detention itself. If a patient knew they were only going to be there a week, then that would be better. If the patient knew that they weren't going to -- there would be no notice removals, which I think have changed now, that would be better that they didn't -- that they could prepare themselves. It was the immigration -- my experience is that it's the immigration uncertainty rather than detention itself</u> and the fact that, you know, like I said, the victim of torture, the essence of someone declaring that they are a victim of torture would have been enough as a tick box. "Do they declare they are a victim of torture?" Tick..."</p>
INQ000164	Michelle Brown	<p>Para 107: "When I was initially interviewed for the role as a DCM in 2008, I was left with the perception that Brook House would be like a community centre — with accommodation, a gym, a library etc, that housed detainees with outstanding immigration issues for a short time. When I joined G4S in December 2008, I was shown around Tinsley House in my first week of training as Brook House was still under construction. It wasn't until February 2009, that I visited Brook House and saw the design did I fully realise that it was not like Tinsley House at all. Although a larger site, it held more Detainees and the living and activities spaces were cramped and stuffy. From the day Brook House opened in March 2009, it</p>

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		<p>became clear that detainees would exceed the expected 72 hour stay and would soon tire of the same facilities, food and regime. <u>From speaking to detainees in 2009 right through till 2020, there was a clear theme of uncertainty — they would not know how long they was going to be incarcerated and at the end, if they were to be bailed, released or deported. Over a period of time, I could see the physical and mental impact prolonged detention had on individuals.</u></p> <p>...</p> <p>Merely from reviewing the departure figures, there was a consistent trend that 33% of Detainees would be released / bailed, a further 33% transferred and 33% left on flights, essentially meaning, in the majority, it was not operating as a removal centre."</p>
INQ000155	Sandra Calver	p.187: <u>"Mental health for detainees has always been very high for the simple fact that in a prison they have got an end of sentence and in an immigration removal centre there often isn't an end of time so that's what can often play on their mental health"</u>
Transcript 15/03/2022	Lee Hanford	p.82: "They all hoped they 8 could remain in the UK, of course they could, and they 9 would reach out and try and engage with the Home Office 10 to have an update on their case, <u>because indefinite detention was very frustrating for them.</u> "
Transcript 16/03/2022	Steve Skitt	p.48: "A. Yes, and I think a lot of the frustrations that I would come across when walking around or talking to residents within the centre, you know, their, I guess, life, for want of a better word, it results around what is happening with them, and <u>there is a lot of uncertainty in people as to, "Am I going to be here next week? Am I going to be here in three months' time?". Sometimes they haven't got that kind of date or point in time to aim for. So they sometimes see themselves in kind of ever-spiralling circles."</u>
Transcript 21/03/2022	Jerry Petherick	p.98: "Q. Do you accept -- of course, Mr Petherick, you're not a psychologist, but do you accept that the effect on the mental health of the detained men who had to live there cannot have been helped by the nature of the physical environment? A. I think the real issue -- and, you're right, I'm not a clinician at all, but <u>my experience would say that the real issue that impacted on detainees' well-being and mental health was their sense of not knowing what was happening with them and the frustrations of their progress towards their release either into the UK or the repatriation, and so the major impact on the well-being was the uncertainty of the situation they found themselves in.</u> Yes, the fact that the conditions were harsher than we would all want, the physical conditions, would have, I think, a further impact. But I don't move away from my very firm belief that it was -- <u>the main issue is that of the uncertainty. And I think the research into detention centres would reinforce that view"</u>
Transcript 04/04/2022	Phil Riley	p.61: "A. Well, it is not indefinite. And again, that is -- you 24 know, <u>I repeat my phrase -- that is another urban myth. 25 We don't have indefinite detention.</u> 1 So, you know, we detain people for the shortest 2 period possible, and as you must know yourself, 3 Mr Altman, under the Hardial Singh principle, people can 4 only be detained when there is a reasonable prospect of 5 removal and within a realistic timeframe, and that is 6 what we aim to do. 7 So in 2021, which is the last figures I have seen, 8 to the end of '21, I think it is 86 per cent of people 9 were detained for 28 days or less and 97 per

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		<p>cent of 10 people for four months or less. And 95 per cent of 11 cases being managed by immigration enforcement are 12 managed in the community. 13 So sorry, it is a slightly long answer to your 14 question. The intention of the Home Office is to detain 15 people for as short a period as possible at Brook House 16 and any other immigration removal centre. 17 Sorry if that was fast"</p> <p>p.62: "Q. Yes. And for those outliers, are you prepared to agree 22 that some of them end up spending time in Brook House, 23 and did, during the course of 2017 -- and we can look at 24 the figures, if needs be -- which must have felt very 25 much as if they were short-term prison sentences? <u>A. It is difficult, actually, because it -- you know, 2 almost arguing against myself here, Mr Altman, 3 short-term prison sentences are time bound and some 4 people's detention was ruled by a -- at times, it was 5 prolonged.</u>"</p>
Experts, MJ		
INQ000112 Transcript 28/03/2022	James Hard	<p>p.65: "I am not sure whether there has been any practical response to the previous criticisms relating to the issue of there being a lack of a time limit to the period of detention, which if resolved may, in my view, be helpful in alleviating some of the detained persons' distress relating to indeterminate period of detention."</p> <p>p.143: "Q. In your supplementary report at page 64, you mention the lack of time limits in immigration detention, and the effect that that might have on detainees. On the fourth occasion D643 was detained at Brook House for a total of 504 days, notwithstanding his diagnosis of PTSD and the lack of treatment offered to him, is it inevitable that a detention of that length in an environment like Brook House of a person with those vulnerabilities would lead to harm coming to him? <u>A. I can't see any other way, and I think even somebody without those underlying issues would find it difficult and would deteriorate in an environment like that</u>"</p> <p>p.177: "Q. Finally, Doctor, I'd just like to ask you about some evidence that Dr Bingham gave that there is a link between the failure of all of these systems and safeguards and the mistreatment of detainees, and that -- what she said was that it's impossible to really separate these issues: "Answer: ... We are talking about failures of safeguards in rule 35(1), rule 35(2) and rule 35(3), rule 40, which means that vulnerable people are not picked up as vulnerable and they are kept in an environment. So we are talking about a failure of safeguards to stop vulnerable people being in this environment. Then we are talking about an environment which has a known negative impact on mental health. So where behaviours like self-harm, like distress, like mental health problems are treated as challenging behaviour, so an inappropriate response that leads to escalating mental health problems, increased risks of self-harm." She said: "It's a perfect storm, and, in that situation, we have people that are then unqualified to manage. Their only recourse is to use of force, solitary confinement. They don't have the capacity to do a therapeutic intervention. So the possible responses are going to be</p>

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		<p>inappropriate. I don't think it is possible to separate that from the abuses that we see". Do you have any particular comment upon that view? What's your view as to the link between these failures and the incidents -- the type of incidents of mistreatment that we see captured on Panorama? A. <u>I think yes, I mean, I agree with what Dr Bingham has said there and I certainly see that that is what -- that is the apparent practice that seems to have been allowed to grow in this environment.</u> Q. <u>And to continue?</u> A. <u>And to continue. And, you know, at what appears to be significant harm to detained persons who, as you started at the outset, are there on an administrative basis rather than a punitive basis.</u> <u>We appreciate --</u> Q. <u>And without a time limit.</u> A. <u>And without a time limit. I appreciate that, you know, deprivation of liberty in the prisons' cases is the punishment, not the deprivation of healthcare.</u> I think what we are seeing here seems to be"</p>
INQ000064	Mary Bosworth	<p>2.28: "... First, the government could, finally, <u>follow international human rights standards and bring in a time limit to immigration detention. A time limit would significantly reduce the kinds of distress shown in the video footage and would make the purpose of these institutions clearer.</u> This, in turn, would bolster a professional staff culture and help to prevent a recurrence of the events of 2017."</p> <p>3.8: "Above all, except for those on remand, prisoners are serving a sentence. <u>Even those whose sentences are indefinite, will have a tariff of some sort, or a process through which they may be considered for parole. Together, according to Lee Hanford, then Interim Director at Brook House, these matters mean that, "A prison has a real vision, it's to care and rehabilitate, there's a real vision in that, and everyone is moving in the same way, whether that's through whatever category they are, etc. What is an Immigration Removal Centre, what's the vision?"</u></p> <p>3.9 IRCs, by contrast, function <u>without a statutory upper time limit</u> for anyone other than pregnant women and families... While IRCs are primarily designed to hold people to facilitate their deportation — over half the population is released back into the community. So, too, the pathway to detention varies; sometimes people end up there from prison, at other times as a result of working without a visa. About half the population have sought asylum at some point and many attempt to claim it while detained."</p> <p>p.15: "A. Yes. I mean, I think if you were to have gone into any immigration removal centre at that period of time, you would have found people who had many of those same qualities because of the nature of the immigration removal centre, and so, you know, what a lot of academic evidence has found, and also, you know, reports from civil society organisations, is <u>that the lack of a time limit in the British immigration system creates an enormous amount of anxiety for people who are detained, which affects their mental health, and their mental health deteriorates for the longer that they are detained. So in a place like Brook House, and in Brook House specifically at the time, I think that was evident</u></p>
29/03/2022		

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		<p><u>in the footage, in the kind of levels of distress that were evident. But I would expect to find those levels of distress in all detention centres."</u></p> <p>p.39: <u>"A. So certainly the indefinite -- the lack of clarity about the duration of detention has been shown by, you know, a lot of evidence to be a defining characteristic of these places and to contribute to a lot of the difficulties for the detained population. It is very closely connected to the detained population's anxiety and distress and mental health problems. I think the way in which it affects staff is actually -- I think it affects staff because it makes their role a little bit unclear. So -- because if you don't really know how long somebody is there for -- I mean, I have said some of this already. If you don't know how long somebody is there for, it is hard to motivate yourself to sort of invest in them as a person, because they might be gone tomorrow, so, you know, why bother? It also, I think, raises questions about the purpose of your job. So if you -- you know, if you are only going to have somebody with you for a week, then is your job actually more than just kind of giving them breakfast and lunch? If you knew that they were going to be there for three months, you might sort of work with them around having paid work or making contact with their children, or whatever. So I think it draws into question what the staff's role is, and I think those questions about what the staff's actual role is, I think that does affect staff culture, because I think, you know, it's always important for all of us who have jobs to tell us -- we all tell ourselves a story about what our role is, and that helps us make sense of our job, it also helps us make sense of ourselves and it helps us do our job, and I think that, for officers, the lack of clarity about the duration that anybody is going to be in their care makes it pretty easy for them to not care because they just don't know how long they're going to be there for"</u></p> <p>p.100: <u>"I also do think that there are -- I mean, maybe this is outside -- this is almost definitely outside the terms of reference, but, you know, I think thinking about policies that would reduce the size of the population would be very important, and the most obvious one for that is actually to introduce a time limit because that tends to reduce the size of the population"</u></p> <p>p.147: <u>"Q. What about the problems of language and the problems of 8 vulnerability and mental ill-health? How do those 9 people assert their rights when they're in 10 administrative detention indefinitely? 11 A. Well, so, it's enormously difficult, but that's another 12 reason why the state and the private sector companies 13 really are under an obligation to ensure that there's 14 parity of treatment and experience across those 15 dimensions. I mean, I think with the mental ill-health, 16 you know, that raises very urgent questions about 17 whether people would be able to even understand what 18 their rights could be and -- let alone avail themselves. 19 The language one is potentially easier to solve with the 20 use of interpreters. But all of this would require 21 a fairly significant change to the view of what the role 22 and responsibility</u></p>

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		<p>is of both the Home Office and the 23 private contractors running the centre. 24 Q. So it is not peculiar to Brook House; it's general? 25 A. I think it's general, yes"</p> <p>p.154: "A. Yes. So, I mean, if the idea is that, in order to get the balance between care and security right, we need to imagine an institution where there can be meaningful human relationships between staff and the detained population, I think that that is -- it is very difficult in an environment where, you know, there are still being people who have these pre-existing vulnerabilities. I think it's very difficult -- who are held in those institutions. <u>I think it is very difficult in an institution where we have evidence that, actually, the indefinite nature of the detention creates vulnerabilities and worsens people's mental health. I think that's a massive problem. And then I think there are -- you know, this question around communication, you know, that that's another fairly straightforward barrier. I think that the sort of -- the crux of the problem is the purpose of the places, and I think it's quite hard to expect officers to build a relationship with people who have been earmarked as people who we don't want to have relationships with because we want them to leave the country.</u> I think there is a kind of dissonance in that demand that we are making of staff which, for officers, is very hard to reconcile and, you know, some of them do, but I think it's very difficult."</p> <p>p.162: "I think although you appreciate it is not an issue, in the end, that the chair can deal with, far less a recommendation she can make, but <u>it is something you have emphasised more than once, is the indefinite nature of detention, which is, for you, a fundamental issue?</u> A. Yes. <u>So I would recommend, and I have in other circumstances too, that the UK should bring in a time limit to immigration detention"</u></p>
INQ0000123	Mary Bosworth	<p>1.8: "While the issue remains outside the remit of this Inquiry and my instructions, this finding, together with the evidence I have consulted, leads me to restate the points I suggested in §2.27 - §2.28 of the preliminary report that "the events of Brook House in 2017, combined with the current low numbers of detention... invite a bold response," <u>starting with the introduction of a time-limit to the period of immigration detention.</u>"</p>
BHM000030	Cornelius Katona	<p>Para 48: "I saw footage of a detainee who I know to be D687 (a Core Participant) with a ligature around his neck, with officers intending to remove the ligature and transfer him to another detention centre. D687 expressed the kind of despair that I have frequently encountered. I explained that "<u>It's, from a clinical point of view, not at all surprising that this man is enormously distressed by the length and indefiniteness of his detention. The chances of not being adversely affected mentally by prolonged and indefinite detention are very low</u>". I also described how "Detainees very often talk about that notion of being somewhere where you are confined, where you have very little control/ very little choice over anything, over what happens in your day. That lack of control, I think, is an important part of the distress that leads to worsening mental health"</p>

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		<p>Para 64: “<u>Depression is likely to be exacerbated by detention owing to arrest, indefinite period of stay</u>, threat of imminent return and exacerbation of helplessness and state of intense fear.”</p> <p>Para 67: “Detention centres are not appropriate therapeutic environments to promote recovery from mental ill health, due to the nature of the environment and the lack of specialist mental health treatment resources. <u>The indefinite nature of detention further exacerbates the detrimental impact of detention on mental health.</u>”</p> <p>Para 96: “In particular, the unpredictable event of arrest, <u>the indefinite period of stay</u>, and the threat of imminent return <u>will exacerbate helplessness and a state of intense fear</u>. Detainees are also likely to suffer further loss of hope or motivation, particularly in relation to their reduced sense of safety and inability to work towards their future life goals associated with staying in the UK. This further increases their risk of suicide.”</p>
BHM000041	Emma Ginn	<p>Para 160: “If immigration detention lasts for any longer than an escort to an airport, then <u>its indeterminate and indefinite length should end and be restricted in line with the time limits operated for pre- departure accommodation for family returns and the detention of pregnant women, that is up to 72 hours, extendable to up to 7 days in total but only with ministerial approval and only where there is clear evidence of its necessity</u>. Even then:</p> <ul style="list-style-type: none"> a. Detention should only be used in circumstances where all necessary processes and procedures for removal have already been carried out and there are no barriers to removal, notice of removal has already been issued, and all medical issues considered. In this way, detention is used as stated as a last resort, in its truest sense, to facilitate actual removal. b. Automatic judicial oversight within 24 hours should be introduced, where a case must be presented to satisfy a judge as to removability and the necessity of detention for carrying this out.”
DPG00002	Anna Pincus	<p>Para 69: “In my view, <u>indefinite detention (and certainly detention of an unforeseeable length), the detention of those with mental illness, the lack of therapeutic interventions for the many mentally ill and traumatised people, the mix of nationalities and communication difficulties, lack of understanding from detention and healthcare staff, are among the factors which allowed a dangerous environment to exist in which there was violence and abuse from Brook House staff towards detained people and between detained people</u>. We were also told by clients that staff failed to intervene when people were bullied or abused by other detained people.”</p> <p>Para 228: “Most crucial to note is that <u>people continue to be detained indefinitely, without any time limit on their immigration detention, and this has a terrible impact on detained people</u>. As the Inquiry will be aware, there is much published medical evidence that detention has an adverse effect on the mental health of detained people. I am not medically qualified but in my lay experience of working with detained people for almost 15 years, <u>the uncertainty of</u></p>

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INQ000105		<p><u>indefinite detention makes people feel more vulnerable and appears to exacerbate pre-existing vulnerabilities and mental health problems.</u> The negative effect of detaining people without a time limit continues beyond the period of detention. Understanding the impact of detention without a foreseeable end is, in my view, a key factor in understanding the mistreatment of detained people in Brook House in the relevant period and the changes which are needed to prevent such events happening again.”</p> <p>p.92: <u>“The fact that people are detained indefinitely causes harm and mental health distress.</u> So for people in detention they would express their feelings about the situation but it would be about many of the different harms...”</p>
DPG000003	James Wilson	<p>Para 90a – <u>“It is important to recognise the particular impact that indefinite detention has on people. It makes immigration detention qualitatively different from any other detention experience. It increases the vulnerability of detained people and when met by an uncaring response from detention staff it engenders a culture in which abuse is more likely to happen. This would be ameliorated by a strict 28-day time limit on detention, with people held for a maximum of 96 hours before their detention is reviewed by tribunal, with detention only then extended if the person's removal or deportation from the UK in the following 14 days is certain.</u> These measures would significantly reduce the numbers of people detained, remove the need for large detention facilities such as Brook House, and reduce the intense strain and mental damage people are placed under when detained for weeks, months or years, often with no purpose when by far the majority of detained people are released from detention, not removed from the UK. In 2020 only 26% of those leaving detention were 'returned'”</p>
INQ000104		<p>p.73: <u>“Clients put in indefinite detention in prison conditions and increasingly, at this point, in crowded rooms in desperate situations. I think it's reasonably understandable that clients would be – people detained would find it difficult to know who to trust...”</u></p>
INQ000034	Deborah Coles	<p>Para 8: “In investigations and inquests following deaths of people detained under immigration powers where the family of the deceased have been able to properly participate through legal representation, fundamental failings in treatment and care have been exposed, as well as unsafe systems and practices, thereby shining a spotlight on this closed world. <u>Deaths are at the sharp end of the harm caused by indefinite immigration detention and illustrate the human cost of UK immigration policies.</u>”</p> <p>Para 40: <u>“These deaths also show that the very practice of indefinite detention creates vulnerability, on already vulnerable people, often with histories of trauma, exacerbated by the conditions and regimes operating.</u> They reveal the reality of detention and its impact on the physical and psychological health of detained people as well as the often cruel and degrading treatment that they are subject to and the cultures of racism, indifference, and dehumanisation.”</p>

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BHM000031	Theresa Schleicher	Para 182: <u>"As the HASC found in its immigration detention inquiry, prompted by the broadcast of the Panorama documentary: A detention time limit is long overdue as lengthy immigration detention is unnecessary, inhumane and causes harm. The indefinite nature of detention traumatises those who are being held and means no pressure is put on the Home Office and immigration system to make swift decisions on individuals' cases."</u>
Hearing transcript 14/03/2022	Theresa Schleicher	<p>Para 105: "Parliamentary Joint Inquiry into Use of Immigration Detention in UK ... The findings and recommendations made included:... <u>a need for a time limit of 28 days</u> on the length of time anyone can be held in immigration detention, but that should not become a default period. Decisions to detain should be "very rare" and detention should be for the shortest possible time and only to effect removal."</p> <p>Para 168: "Alternatives to detention: The "hostile environment" policy (reframed as "compliant environment" policy) does not fit well alongside alternative to detention for ex-offenders who cannot be removed from the country. <u>Despite a previous recommendation in Shaw 1 to consider the need for a time limit to detention, the Home Office's agreement to carry out such a review has not been developed as a full policy proposal, and needs to be.</u>"</p> <p>p.90: "We do believe that detention -- immigration detention should be ended, but that is not a political view, that is based on our experience and that of our clinicians of working with people in detention and seeing the impact that detention has on their mental health. It is based on seeing how the safeguards have consistently failed and how the Home Office has been either unwilling or unable to address that. So because of that, we see the only solution to deal with the harm that detention is causing on vulnerable people's health is to close them down. I don't think that's unreasonable. We are not the only organisation to propose that. The other main medical organisation who has considered this is the BMA and they have also recommended that immigration detention should be phased out. Other organisations have also thought that the safeguards aren't able to deal with the harm caused by detention adequately and that a time limit is needed. I think pretty much any body/organisation that has recently considered this issue has either recommended a ^{fixed} time limit or an end to immigration detention. I think even Dr Oozeerally himself recommended a limit of seven days. Q. So your main proposals for change, your preference, would be to phase out the use of detention altogether, given the harm you have seen that it causes in vulnerable people? A. (Witness nods). Q. Or if not to phase it out completely, to limit the power to detain and in particular to put a time limit on detention? A. (Witness nods)"</p>
		Para 171: "The absence of safeguards, the known risks, and my extensive review of cases alongside my clinical experience with Medical Justice, <u>all lead me to conclude that immigration detention is unsafe for the vulnerable population detained, is particularly unsafe for the prolonged and indefinite periods of time for which people are detained</u> , and from a medical perspective all efforts should be made to avoid placing people in immigration detention."

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DPG000038	Pierre Makhoul	“While immigration detention is used, <u>it should not be indefinite or indeterminate</u> . There should be a statutory time limit. People in detention face uncertainty due to the indeterminate nature of detention and it has become common to hear immigration detained people, who are not being punished of any crime, referring to the trauma of having to count up the days in detention rather than counting them down had they been serving a criminal sentence. People in immigration detention think they are being punished despite not serving a criminal sentence, leaving them feeling humiliated, shameful, fearful and angry. Such impacts upon people that arise from the experience of immigration detention must be recognised and addressed if the harms caused to individuals are to be addressed, and safeguards put into place to protect those held in immigration detention.”
INQ000103	Jamie McPherson	p.230: “I would say probably the first one [improvement] being a limit on immigration detention, <u>a time limit</u> . Detained people find it very hard to be faced with indefinite detention. You can see people’s kind of mental health unravelling over time, so I think a clear limit, so they know how long they will be held, the maximum they will be held, in detention would go a long way to help the situation”
INQ000103	Sile Reynolds	p.53: “I think one of the most damaging impacts of detention is the lack of communication and the sense of uncertainty and now knowing what is happening with your case and how it’s progressing <u>and what the prospect is of you ever being released from detention</u> . This is extremely harmful to an individual”
INQ000103	Dominic Aitken	<p>p.66: “It meant that the members of staff who dealt with detainees on a daily basis didn’t really know a great deal about their case, they were often having to relay bad news to detainees and so sort of clearing up a mess that had been made by someone else outside of the centre. And it also meant that a lot of key information was just not shared. <u>So staff were uncertain about lots of things, detainees were uncertain about lots of things and, unsurprisingly, there was a lot of frustration about that</u>. Q. What sort of things? Uncertain about what sort of things? A. <u>So the duration of detention, any prospect of release or removal, for instance, if there had been things like a flight might have been cancelled or something like that, all of these things would cause a great deal of frustration, obviously particularly to detained people</u>”</p> <p>p.69: “I think for people who had been detained for a long time, and I mean people who had been detained for maybe a year or more, which was a relatively small number of detainees a handful of them, at any given time, <u>but they would typically say they thought that was unfair and that if the HO or the government was unable to remove somebody or deport somebody within a more reasonable timeframe, that it didn’t really seem fair to keep them in detention for such a prolonged and uncertain duration</u>... There were some individual detainees who I knew had been detained for a long time and whose behaviour was undoubtedly quite difficult for staff to deal with because they were acutely frustrated and angry about how long it was taking for them to be released or removed and there didn’t seem to be much progress on their case”.</p>

Document ID	Witness	Quotation
Formerly detained clients and Nathan Ward		
DL0000141	Nathan Ward	<p>Para 19: “Accordingly, my criticism of the system of immigration detention is not based on an underlying opposition to it, but having worked within the system for a number of years, a deep desire to see fundamental reform. Based on that experience, it is clear that its use should be closely regulated by law, <u>strictly limited in time</u>, only used when the Home Office can show that removal is imminent, and not used for those who are vulnerable and who will be harmed. I do not believe that indefinite detention should be permitted. <u>I have witnessed first-hand the deep distress and despair this causes, due to the uncertainty it instils on detainees' future, safety and length of incarceration.</u></p> <p>20. Indefinite detention is the equivalent of an indeterminate sentence or 'internment', which is normally encountered during wartime to manage threats posed by enemy aliens to national security. I have seen how in practice this is a reflection of the increasingly militaristic approach by UK governments to immigration, along with the adoption of wartime language, including naming the agency 'the Border Force' and dressing them in militaristic uniforms. <u>The use of indefinite detention, unwarranted in peacetime in my opinion, undermines the safeguards such as the ancient writ of habeas corpus which is supposed to protect an individual against detention without trial. I have seen how this undermines the individual; conceptualising immigrants not as fellow human beings who share our legal protections, but as alien others to be ejected from our territory.</u></p> <p>Para 350: “<u>In my view, immigration detention should be limited for all detainees for a maximum period of 28 days and this should be urgently implemented. I also believe that for those with vulnerability, the maximum period should be 72 hours, with a short further possible 72 hour extension authorised by a Judge if absolutely necessary.</u> This framework would follow a model where all necessary processes and procedures for removal have been completed (the flight is booked, notice of removal has been issued, travel documents are in place, all medical issues have been considered and the individual's legal and appeal rights have been exhausted). The IRC is therefore only used to facilitate the actual</p>

Document ID	Witness	Quotation
INQ000101		<p>removal...Brook House was specifically designed for a 72 hour limit and if that model is to be used, then there should be enforceable limits so that detainees do not find themselves in that environment for longer periods.”</p> <p>Para 353: 1) <u>A 28 day time limit should be imposed on all detentions.</u> 2) The equivalent of the family returns policy should be implemented for all removals and an independent returns panel should be established similar to the "Family Returns Panel" for all detainees 3) Detention for those with vulnerabilities should be limited to 72 hours and only extended for a further 72 hours by a Judge. 4) This scheme should be scoped for all those detained.</p> <p>p.145: “I think that's the key for me. Part of me would ask the inquiry: <u>how do you provide welfare in a system of indefinite detention, where there is no hope? Providing "welfare", in inverted commas, is like selling Christmas to turkeys. It's incompatible.</u>”</p> <p>p.164: “There would be a care plan as well, which was designed to give support to them during that time. But, as I've said previously, <u>what support can you give someone who is in a process of indefinite detention and due to be returned to a foreign land?</u>”</p> <p>p.139 – “I think it’s demoralising when any human being is in a position where their liberty to all intents and purposes has been taken from them, <u>where they have no concept or idea of when they will be released.</u> We would refer to it as indefinite detention. That is most demoralising and there is – it is a system without hope.”</p>
DPG000021	D687 (read out statement)	<p>Para 26: “<u>I don't know why the Home Office decide to detain people indefinitely like this, like they're animals, instead of treating them with respect and dignity.</u> I would understand being detained for a short period of time, for the purposes of removal if that was immediately possible. But there has to be a limit on how long that can be allowed.”</p>
DL0000141	D1527 (read out statement)	<p>Para 353: “A 28 day time limit should be imposed on all detentions.”</p>
INQ000145	D1538 (read out statement)	<p>p.113: “The thing is, when you are in detention you are in a constant state of not knowing and uncertainty. I was taken to detention, I did not know when I was leaving or if I was leaving, and where I would be going. It is like a forgotten prison, with forgotten prisoners. You don't know what is happening or what will happen. And so many people stay there for so long, for so many years, in this state”</p>