

## New prison for immigrants?

A NEW DETENTION centre to hold 200 immigrants in custody is now being planned by the Home Office's Immigration and Nationality Department. Due to be operational by at least 1983, the new centre is now undergoing a feasibility study and awaiting Treasury approval for its estimated cost of £850,000. The centre is needed, according to the Home Office, to provide better accommodation for the increasing numbers of visitors, immigrants and illegal entrants now being held in detention at an existing unit and a number of badly overcrowded prisons.

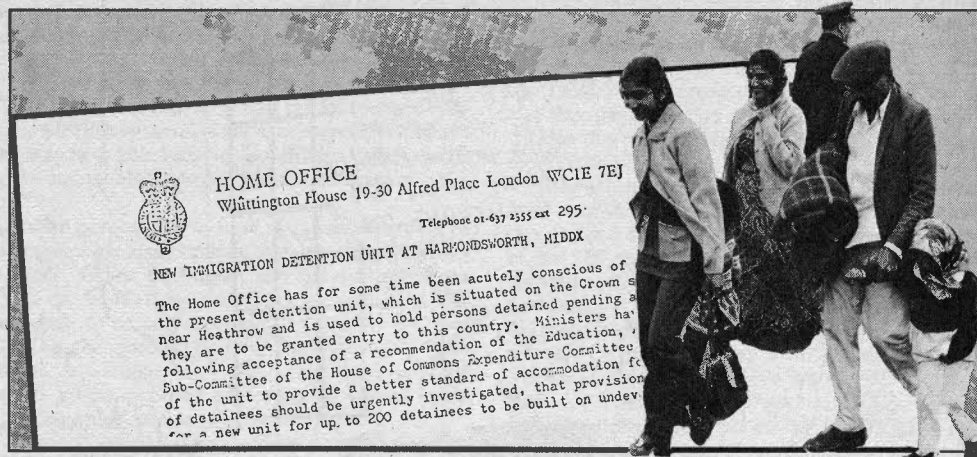
The decision to build the new centre follows a report in July 1978 by the House of Commons Select Committee on Expenditure, who examined in depth the detention of immigrants and deportees in prison and at the existing unit at Harmondsworth. Merlyn Rees, the former Home Secretary, then took the decision to press ahead with a new centre based on their recommendations. But the Home Office has got the cart before the horse, according to immigrant welfare organisations. Instead of examining the Committee's recommendations as to legitimate means of reducing the extent of immigrant detention, they have simply determined to find accommodation for the growing numbers being locked up.

Home Office memoranda in the possession of NEW STATESMAN indicate that this stems in no small part from the Home Office's attitude towards organisations who intercede or campaign on behalf of the detainees. In a note to the Treasury three months ago seeking approval for the scheme, the Immigration Department noted:

Regrettably the ever increasing pressure from would-be settlers who do not qualify under the immigration legislation means a corresponding increase in the number who have to be refused entry. Detention ensues in a good proportion of cases because the well-organised representations of the minority communities lead to delays (because of the involvement of MPs and ministers) in reaching decisions on cases.

In other words, the Home Office seek to put the blame for the period spent in detention on the shoulders of MPs or others who intervene to try and prevent them being turfed out. They are otherwise at the mercy of the Immigration Act's bizarre Catch-22 which allows them to appeal against a decision to keep them out – provided they go home first. Unsurprisingly, most of those who feel they have a legitimate case stay, despite the circumstances, and may be locked up for weeks or months as a result.

'Refused leave to enter' is only one of several categories of detention. Others include illegal entry, or a recommendation for deportation by a court after conviction for an offence. People so detained often unnecessarily spend substantial time in prison because of the way that the Home Office handles their cases. When a recommendation for deportation is made by a court, following a conviction, the person concerned is usually imprisoned whilst a decision is made. Yet in recent years, less than half of those recommended for deportation are actually deported, although some go voluntarily. Often too, the conviction was for a trivial offence, or did not result in a prison sentence, so that the person was



imprisoned quite unreasonably for the offence.

In the case of illegal entrants, the numbers concerned and held have at least tripled in the last five years – not because of a new influx, but because the courts have, according to the House of Commons Committee, 'substantially widened' the definition of 'illegal entrant.' It now includes many non-clandestine entrants who are later found not to have given all the information requested from them.

Both illegal entrants and potential and actual deportees are almost invariably held in prison. Yet many of them could be released on bail by the Immigration Department, and would normally qualify to do so. A passing-the-buck exercise between the Home Office and the courts – each considering bail for potential deportees to be the other's prerogative – means that many more stay in prison than need be the case. The Select Committee were particularly firm that this practice should end. But there is no evidence that the Home Office, despite its willingness to pay for a new detention centre, has acted on this, or four other points made by the Committee on ways to reduce the detainee population.

The new centre is to be built alongside the existing centre amongst a complex of government buildings at Harmondsworth, where an Immigration Service HQ, including the 37 person Intelligence Unit, is already situated. It is unclear whether the existing 'inadequate' unit holding 70 detainees will still be kept in reserve when the new centre is complete. The Home Office have apparently decided, however, despite reservations by the Select Committee and the Prison Service itself to continue with the present arrangement to have detainees kept in custody of private security guards, supplied by Securicor Ltd. This arrangement dates from before 1970, when airline carriers were required to detain people refused entry themselves, and used private firms for the job. Home Office memoranda suggest that the use of a private security firm is for reasons of cheapness; the use of Prison Service officers would mean that accommodation would have to be provided to house them.

Nine Securicor staff would guard the detainees from a Security Office which would be, according to a Home Office minute, 'the nerve centre of the whole building'. A three metre high fence 'topped off' with an intruder alarm will surround the site. The same document also notes that the site for the new centre, where detainees may be held for

weeks or months 'would not normally be considered fit for residential use' because of the noise levels from aircraft using Heathrow airport nearby. A more disturbing revelation is the comment in the same minute that the accommodation is 'essentially for a third world population' – an intriguing new racist euphemism, which appears to have replaced 'New Commonwealth and Pakistan' as the official vogue term for those who lack white skins. The centre will include 'Asian toilets' and a 'Moslem ladies room'.

There have been many complaints about the existing centre, which the Home Office acknowledges has many 'inadequacies'. Nevertheless, no-one is in any doubt that it is a great deal better than being in prison and enduring 23 hour lockups and other hardships. Anyone held in detention has to be sent to either Harmondsworth or a prison remand centre. Many are imprisoned simply because Harmondsworth is full. In a letter to the Treasury this March, the Home Office admit to 'misleading' the Select Committee on this point. The committee were told that the average occupancy of the present unit was about 45 out of 65 places, implying that there were usually 20 spare beds. The truth was that 'Harmondsworth is full to capacity for most of the peak travel season' and that surplus persons refused entry are packed off to prison. For this reason, no space is available to accommodate those potential deportees who might be considered for the centre instead of prison because of their good characters.

According to the Joint Council for the Welfare of Immigrants, who daily handle the cases of a large proportion of detainees, the Immigration service could quite safely make far greater use of its powers to allow temporary release whilst a case is considered. At present, only about 15 per cent of those refused entry are allowed temporary admission. Adoption of the Select Committee's recommendations would permit further reductions in the size of the prison population, which is normally greater than 200. 'The main argument' say JCWI, 'should be about temporary release and bail facilities', rather than solely about extensive new detention centres.

The Home Office only admit to 'considering' the report, saying that it is 'too early to comment in detail' on the new centre. Meanwhile, the Immigration Service is moving into yet another 'peak travel season' and many more non-criminals will be going to prison.