

# Women, asylum and the harms of detention

Victoria Canning argues that our government's treatment of survivors of torture, sexual violence, and persecution is too often degrading and dehumanising

There is an uncomfortable irony in answering, 'how violent is Britain?' in the context of asylum. Since people seeking asylum have usually fled violent conflict or other forms of persecution with the aim of gaining sanctuary and safety in a host country, it seems an odd question to be asked. Given that Britain is not a country currently affected by conflict, it should in fact be a relatively safe haven.

Yet we need only scrape the surface of the asylum system in Britain to see that violence has become part and parcel of the way we respond to those seeking refuge. Detention without criminal charge, dispersal, destitution, and fear of deportation are all inherent in the lives of those seeking asylum in the United Kingdom. As recent reports indicate, women in the asylum system can experience violence that is often sexualised, including sexual abuse, sex trafficking, and so-called 'transactional sex' (see Canning, 2014a; 2014b).

It has been a difficult few years for the Home Office and UK Border Agency (UKBA), which was split into two separate functions as part of a government re-organisation in April 2013. Although commentators on the political right dogged the UKBA's reputation with claims it did not keep enough immigrants out, or monitor those who make it here closely enough, human rights organisations have produced consistent evidence that its methods of control, including detention and dispersal, have seriously affected the mental and physical health of people seeking asylum. Deaths in custody in

Immigration Removal Centres (IRCs) have further implicated Britain's border controls in claims of negligence and violence. The recent death of Christine Case is the fourteenth death in IRCs in the past ten years. The co-ordinator of the campaign organisation Medical Justice, Emma Mlotshwa, responded by saying that 'the only thing we are surprised about is that there have not been more deaths': a stark and damning reflection of a toxic system and practice (Canning, 2014b).

## Sexual violence, asylum and detention

Detention and incarceration are environments in which people can be rendered vulnerable to physical and sexual abuse (Peel, 2004) and where vulnerability is often inherent in the unequal distribution of power between those incarcerated and those charged with the task of securing them. Since women are disproportionately victims of sexual abuse, further issues arise in holding women in detention. These specifically include the potential for re-traumatisation based on earlier instances of sexual abuse and torture; and the threat of, and subjection to, sexual abuse in the IRC. As Women for Refugee Women's latest report, *Detained*, indicated, 33 of 46 women interviewed who had been held in detention in the UK had been raped in their home country (Girma et al., 2014). In their earlier 2012 report, *Refused*, 66 per cent of the women in their sample had experienced gender-based violence, and 32 per cent of those women had previously been raped by soldiers, police or prison guards (Dorling et al., 2012).

Often when I interview medical doctors, support workers or psychologists about the impacts of sexual violence on women seeking asylum, there is the recognition that many women have left countries where sexual violence in detention is endemic, or rape is manifest as an act of conflict. Therefore the expectation is that they have made it to safety – as one interviewee once commented, 'they don't trust police or prison guards here because they don't know it is different to their own country'.

However, only last year male Serco security guards were accused of sexual abuse in Yarl's Wood IRC. As the enforcer of border controls, the Home Office received widespread condemnation regarding the abuse, yet the outsourced management of this IRC to Serco has, to some extent, allowed the government to distance itself from this abuse. The use of private companies in prison and detention has been an increasing concern for critics of state power; the lack of accountability in the cases of abuse, deaths in custody or death during forced removal has in some cases facilitated a legal chasm for agencies, individuals and the state. In the case of asylum detention, however, the government cannot distance itself completely from such abuse.

Like G4S and other private security companies, Serco have received criticism for a string of abuses of power. But it has been governmental policy that has allowed for women to be detained, and has increased vulnerability to a specific kind of sexual violence. It was the Home Office whose first response

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was not to gather evidence and move forward to hold those accountable for sexual abuse, but to deport witnesses to their country of origin, themselves also in precarious positions. It was the Home Office who moved to silence women survivors of, and witnesses to, sexual abuse. Survivors of sexual violence are often faced with a wall of silence, be it through social stigma, shame, or fear of reporting. Add to this a perpetrator who has the power to detain, restrain, search or report you, who can exploit a fear of forced return to the country you have fled and you have what some women seeking sanctuary have been made to face.

### State/corporate silencing

While the detention or deportation of asylum seekers is generally on the basis of the applicant's claim and case (or indeed the Home Office's interpretation of it), there is also concern that those who challenge or speak out against the system can be targets for systematic silencing. For example, women and men awaiting decisions to stay in Britain can be detained when the 'decision has been reached' on the basis of one or more of 13 reasons, with the thirteenth being 'your unacceptable character, conduct or associations' (asylum seeker's detention report viewed by author). The broad scope for interpretation needn't be pointed out, but this wording certainly provides the opportunity for the detention of women and men who speak up about violences of and in the asylum system.

Since the death of Christine Case, and the accusations of sexual abuse in Yarl's Wood, refugee support groups and women's campaign organisations have stepped up the challenge to state and corporate violence. Where privatisation and state accountability in relation to incarceration had primarily been the interest of civil rights campaigners, abolitionists and critical criminologists, a nerve has been hit with the accumulation of damning evidence of the harm and violence committed against asylum seekers detained in Britain. Protests from across parts of the UK have been held

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all throughout 2014 calling for Yarl's Wood to be shut down, whilst media outlets such as *The Guardian* have increasingly featured critical profiles of Serco, G4S and the coalition's intensifying campaign to make life as difficult as possible for those daring to seek sanctuary in Britain.

This is a crucial time to draw attention to the erosion of civil liberties inherent in detaining asylum seekers, and to challenge the insidious increase in the outsourcing and privatisation of border controls in Britain and Europe. It is also time to collectively challenge those responsible for the harms of incarceration, and hear the voices of those detained, and this can be done in many ways. For example, at a peaceful demonstration against detention at Yarl's Wood in June 2014, Serco refused entry to campaigners. In response, protesters legally entered the foreground of the facility and requested access to the women inside. Although they were denied entrance any further, incarcerated women's voices were transmitted out of the IRC by radio and played to those gathering at the centre's barbed gates. Resistance is mounting.

Women in Yarl's Wood face indefinite detention, forced removal, use of restraint, roll call four times a day and, as we have seen, the threat or use of sexual violence. More

broadly, and as already discussed, dispersal has been shown to impact on women's safety in relation to trafficking, sexual exploitation, and even perinatal care. Women who have fled domestic and/or sexual violence, conflict related sexual abuse, female genital mutilation or other so called 'honour' based violence, live in fear of being forced to return to their country of origin, and thus the persecution that they sought refuge from in the first place.

When we speak of state violence, or teach younger generations about violent governments and institutions, we will not need to recall other countries in other times. We need only look to our own government's responses to those seeking political or economic refuge - survivors of torture, sexual violence, and persecution - to see the manifestation of degradation, dehumanisation and, ultimately, violence. ■

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