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Immigration detention Contents

Summary

Detaining an individual for the purpose of immigration control is a deprivation of that person's liberty. The Government has a responsibility to use it sparingly, and for the shortest period possible. The power to detain can sometimes be necessary but should be used only if there are no other options, as a last resort prior to removal.

Detention powers are governed by processes set out in policy and guidance, which include directions on the power to detain, the decision and authority to detain, and detention procedures.

This policy and guidance is too often not being followed.

Our inquiry was prompted by the exposure of appalling physical and verbal abuse of detainees by some staff at Brook House Immigration Removal Centre (IRC) in 2017 and by persistent reports of the inappropriate use of immigration detention and its damaging effect on the mental health and wellbeing of detainees.

Over the course of our inquiry, we have found serious problems with almost every element of the immigration detention system. People are being wrongfully detained, held in immigration detention when they are vulnerable and detained for too long.

Immigration officials who are tasked with detaining and removing people from the UK face making difficult decisions on a daily basis. But too often the Home Office has shown a shockingly cavalier attitude to the deprivation of human liberty and the protection of people's basic rights. It needs to be more transparent in collating information about the number of people who are wrongfully detained, it must give evidenced explanations as to why decisions to detain have been made and it needs to admit where things have gone wrong, apologise, and seek to learn lessons.

Above all, it must do much more to ensure that all reasonable alternatives to detention have been considered before detention is authorised.

Our inquiry identified a weak administrative process and a serious lack of judicial oversight of the decision to detain. Decisions to hold an individual in immigration detention are taken by Home Office officials and not by a Judge or court, and immigration detention is overseen by the Immigration Enforcement directorate in the Home Office. In this process, there is no thorough pre-detention screening of individuals and other than in asylum interviews there is no face to face contact between immigration decision-makers and the detainee. As a result, in the immigration system, people can be deprived of their liberty through an entirely paper-based exercise by officials where no one involved in the decision ever interviews the potential detainee. Moreover, there is no requirement in UK law for those decisions to be subject to judicial oversight within a certain period after a detention order is made. This has to change. In the UK, there is no limit on the length of time for which someone can be held in immigration detention.

Our inquiry has found that Home Office caseworking inefficiencies—for example lengthy delays in asylum decisions, appeals and documentation—unnecessarily prolong individuals' detention. Evidence from a multitude of experts shows the harm that immigration detention inflicts on the detainee's mental health and well-being. For some detainees to be held for more than three years is unacceptable. While the indefinite nature of detention traumatises those who are being held, it also means that there is no pressure on the Home Office and on the immigration system to make swift decisions on individuals' cases. There is a rapidly growing consensus amongst medical professionals, independent inspectorate bodies, people with lived experience and other key stakeholders on the urgent need for a maximum time limit. Lengthy immigration detention is unnecessary, inhumane and causes harm.

We found that the Adults at Risk (AAR) policy is not protecting the vulnerable people it was introduced to protect. Instead, the way evidence of risk is weighed against immigration factors has increased the burden on individuals to evidence the risk of harm that might render them particularly vulnerable if they were placed or remained in detention. The policy has significantly lowered the threshold for Home Office caseworkers to maintain detention of those most at risk. Rule 35, the process intended to act as a safeguard against the detention of vulnerable people by ensuring that particularly vulnerable detainees are brought to the attention of relevant staff, has failed to prevent too many injustices. It is not currently a fair or robust system.

The Home Office is ultimately responsible for oversight of the detention estate and has a responsibility to meet its obligations to those individuals it detains in Immigration Removal Centres (IRCs). This means that people should be able to access high quality healthcare, equivalent to that in the community. From the evidence we have heard, this is not always the case. To give one example, the disgraceful abuse of detainees by staff that was revealed by undercover journalism at Brook House IRC is sadly not the first of its kind. It is clear from the evidence we heard that the Home Office has utterly failed in its responsibilities to oversee and monitor the safe and humane detention of individuals in the UK.

As a result of these serious failings in almost every area of the immigration detention process, this report makes a series of recommendations for reforms, including:

- Stronger judicial oversight by subjecting the initial detention decision to review by a Judge within 72 hours. This would be in line with other areas of UK law, for example in the UK criminal justice system, where an upper limit for detention without charge exists.
- Requiring caseworkers involved in the decision to detain an individual in all cases to meet that individual at least once, in person, prior to finalising the detention decision or/and within one week of their detention.
- Introducing a thorough, face-to-face pre-detention screening process to facilitate the disclosure of vulnerability.
- Abolishing the three AAR levels of risk and reverting to the previous policy of a presumption not to detain individuals except in very exceptional circumstances. The Home Office should consult with a wide range of stakeholders who are affected by detention including people with lived experience, to develop an agreed grouping of categories of vulnerability.
- Bringing an end to indefinite immigration detention and implementing a maximum 28-day time limit. This time limit should be cumulative and accompanied by a robust series of regular checks and safeguards. Any extension should only be made in exceptional circumstances and with prior judicial approval.
- Urging the Government to undertake a consultation on how detention time limit maximums could be applied to different types of detainees, such as vulnerable individuals. The Home Office should also consult on the application of the time limit to Foreign National Offenders (FNOs), including assessment of specific public protection issues.
- Ensuring all IRCs have robust and effective whistleblowing procedures which IRC staff and detainees can use with complete confidence, knowing they will be fully protected.

We welcome the Home Office's agreement to conduct an independent inquiry into the maltreatment of detainees by some staff at Brook House IRC and urge the Government to publish the terms of reference with immediate effect.

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Published: 21 March 2019

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amnesty international

UNITED KINGDOM

Detention of people who have sought asylum – Executive Summary[1]

~~20~~ June 2005 AI Index: EUR 45/019/2005

In order to escape persecution and conflict in their own countries refugees are forced to abandon their homes, their families and their livelihoods. The majority of the 17 million refugees, asylum-seekers and others of concern to the United Nations High Commissioner for Refugees (UNHCR), cross an international border and seek safety in a neighbouring country. Some risk hazardous journeys to reach the UK, a country to which they may already have a link through the Commonwealth, language, relatives or a community living there.

The number of asylum claims to industrialized countries, including the UK, is declining. In spite of this decline, in recent years, the number of those detained solely under Immigration Act powers[2] in the UK who have claimed asylum at some stage, including families with children, has increased. Currently, capacity in immigration detention facilities, excluding short-term holding facilities[3] is 2,672, triple the number of available places when the current government came to power in 1997. The vast majority of those detained under Immigration Act powers have claimed asylum in the UK at some stage.

Amnesty International has long been concerned about the detention of people who have sought asylum in the UK. This report examines the increased use of detention both at the beginning and at the end of the asylum process and questions whether the UK is meeting its obligations with respect to the right to liberty and the right of people to be treated with dignity and humanity under international refugee and human rights law and standards.

Amnesty International's concern about UK detention policy and practice is compounded by the country's potential to influence human rights protection around the world. Particularly in 2005, when the UK occupies the Presidencies of both the European Union (EU) and the G8 group of countries, it will be better positioned than ever to make its influence felt throughout Europe and beyond.

The UK authorities have often claimed that detention is pivotal to their strategy to

[1] This report summarizes a 94-page document (35,794 words), *United Kingdom - Seeking asylum is not a crime: detention of people who have sought asylum* (AI Index: EUR 45/015/2005) issued by Amnesty International on 20 June 2005. Anyone wishing further details or to take action on this issue should consult the full document.

[2] The powers of the executive are provided under the Immigration Act 1971 and under successive immigration laws passed in the last 12 years.

[3] These are places where people can be detained for up to seven days pending forcible return or transfer.

remove asylum-seekers whose claims have been dismissed. They have also stated that: "detention would only be used as a last resort". Amnesty International found that many people who have sought asylum at some stage are detained at different points of the asylum process and, as this report will show, they are detained even though the chances of effecting their forcible removal within a reasonable time may be slim.

This report examines the hidden plight of those who have sought asylum in the UK and are detained solely under Immigration Act powers. [4] Detention is an extreme sanction for people who have not committed a criminal offence. It violates one of the most fundamental human rights protected by international law, the right to liberty.

For this report Amnesty International examines the cases of asylum-seekers who were detained for the duration of the asylum process and whose claims were considered under accelerated asylum-determination procedures premised on detention.

Such fast-track procedures, where the applicant is automatically detained, are set to increase. Amnesty International is concerned about the quality of decisions and procedural safeguards within these procedures.

The report also looks at the cases of people who were detained once their claim had been dismissed and were considered to be at the end of the asylum process.

As part of its research for this report, Amnesty International set out to establish how many people who have sought asylum at some point are detained in the UK under Immigration Act powers. However, although limited statistics for certain detention facilities are available, in the course of a year no comprehensive statistics are produced on the number of asylum claimants who are held in detention, or the length of time for which they are detained. Therefore, Amnesty International is concerned that no clear picture exists of how many people who have sought asylum are detained or for how long.

The UK authorities have argued that detention is necessary to prevent people from absconding at the end of the asylum process. But Amnesty International is concerned that the authorities are using the risk of absconding as justification for detention without a detailed and meaningful assessment of the risk, if any, posed by each individual.

This report highlights the denial of justice suffered by many people as a result of their detention being in many cases effectively arbitrary and, therefore, unlawful. Individuals are often taken into detention on the basis that a bed is available within the detention estate, rather than on considerations of necessity, proportionality and appropriateness.

This report also examines the ability of detainees to challenge their detention and concludes that UK policy and practice in this regard lead to further injustice.

Under Immigration Act powers, it is the executive who authorizes the detention of people who have sought asylum. No judicial authorization is required and there

[4] The report focuses exclusively on the plight of those who have sought asylum and are held in detention in the UK. It does not consider the rights of people if and when they are released from detention.

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is no prompt and automatic judicial oversight of the decision to detain, nor are there automatic judicial reviews of the continuance of detention. In addition, there are no maximum time limits on the length of detention. In light of all of this, Amnesty International is seriously concerned that detention of people who have sought asylum can continue indefinitely without any automatic judicial intervention.

In April 2004, the UK authorities introduced new funding arrangements for legal work on asylum and immigration cases in England and Wales, which have resulted in the withdrawal of established lawyers from this area of work, leaving a dearth of expertise. Many who have sought asylum are now left with little or no access to effective legal advice and representation. This problem is particularly acute for those in detention.

Finally, the report looks at the human cost of the increased use of detention in the UK.

Amnesty International considers that detention is not being carried out according to international standards, is arbitrary and serves little if any purpose at all in the majority of cases where measures short of detention would suffice. The organization urges the UK authorities only to resort to detention when necessary and in strict accordance with international standards.

The human cost of detention

Amnesty International interviewed people whose asylum claims had been processed through fast-track procedures who were detained as soon as they applied for asylum. The organization also interviewed people who were detained at the end of the asylum process, some of whom made subsequent claims for asylum.

Amnesty International found that many people were detained far away from their families or friends, in often remote locations and in grim, prison-like establishments. Some detention facilities are former prisons, others are purpose-built as removal centres.

At the time of being taken into detention, the individuals concerned were not told for how long they would be detained.

Those interviewed told Amnesty International that while in detention they felt abandoned and demoralized. Several of them complained of being subjected to racist and other verbal abuse while in detention.

Some interviewees experienced great difficulty in relaying their stories even months after their release from detention. A number of them appeared to be suffering from severe depression.[5]

In theory, the UK has a policy of non-detention of particular vulnerable groups. However, Amnesty International is concerned that those whose age or physical or mental health or circumstances make them unfit for detention are nevertheless being detained.

[5] Amnesty International has changed the names of all those interviewed to protect their identity. For the same reason any reference to their country of origin has been omitted. The cases cited are from accounts given to Amnesty International by people who had sought asylum and who had been held in detention solely under Immigration Act powers.

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Detention of families

The UK government has stated that family detention is a necessary part of maintaining effective immigration control, and that it is used sparingly and for as short a time as possible. Organizations working with detained families argue that there is a gap between stated policy and what happens in practice to families, citing prolonged periods of detention in some cases.

Families with children are liable to be detained while an initial decision on their asylum claim is made. Other families whose claims have been dismissed and are deemed to be at the end of the process and awaiting forcible removal may also face detention. There are no comprehensive figures as to how many children are detained each year.

In 2003, Her Majesty's Inspectorate of Prisons for England and Wales (HMIP) criticized the detention of families and recommended that children should not normally be detained, but that if detention was used it should be for no longer than a few days. HMIP also recommended an independent assessment of children as soon as possible after their detention.

Amnesty International considers the detention of families with children to be unnecessary and disproportionate to the objective to be achieved.

This following stories were recounted to Amnesty International by some of the people Amnesty International has met during its research. The organization believes that these cases demonstrate the human cost of detention.

Eveline and her baby

"I couldn't believe what was happening to me. I couldn't believe I was in Europe"

Eveline is from West Africa and was arrested and detained for her political activities before escaping and applying for asylum in the UK. She was pregnant at the time of her arrival in the UK and her baby daughter was born soon afterwards. Eveline's asylum claim was rejected and her appeal against this decision was dismissed.

The father of her baby was an EU national living in the UK. Despite this, and her being pregnant again, Eveline was detained with her daughter for more than six months.

Eveline and her baby daughter were taken from their house in the north of England to Harmondsworth Immigration Removal Centre (IRC),[6] close to Heathrow airport. Eveline was told that they would be sent back to their country of origin the following day. They were taken to Heathrow airport but their flight was cancelled and they were returned to Harmondsworth. Eveline's daughter was ill and Eveline, who was three months pregnant, miscarried in Harmondsworth.

They were moved on several occasions between Harmondsworth and Dungavel IRC in Scotland. She was eventually released from detention on bail and went on to win her appeal and be recognized as a refugee. A 2004 judgment regarding the lawfulness of Eveline's detention noted

[6] Almost all of the facilities used to hold people who have sought asylum in the UK have been named Immigration Removal Centres. Notwithstanding this euphemism, it should be made clear from the outset that they are detention establishments in anything but name.

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that temporary admission had been requested since she had always complied with reporting conditions prior to being detained and had promised to comply with the same conditions if released. Despite this she was not released from detention at that time. As a result of the ordeal of Eveline and her daughter, the government was forced to change its policy on detention reviews of families with children who seek asylum.

Detention of torture survivors

Josephine

According to the UK authorities' own standards, Josephine, as a torture survivor, should never have been detained.

Josephine is the wife of a freelance journalist from a central African country. Her husband had fled persecution and sought asylum in the UK. After her husband fled, Josephine was arrested on many occasions and on one occasion was raped by two policemen. She said that after that she "lost her mind".

With help, Josephine and her eight-year-old daughter arrived in the UK in June 2004 and applied for asylum at Heathrow airport. Josephine was not allowed to contact her husband, who was unaware of her arrival. The Immigration Service did not contact him.

Josephine explained that the passport she was carrying was not hers but that she had used it because it was the only way she could leave her own country.

An Immigration Officer told her that she would have to return to her country. Her daughter was taken away for questioning separately three or four times.

They were then both taken into detention. They were detained at Oakington Reception Centre for 10 days.[7] Josephine's husband finally learnt from someone who had travelled with Josephine that she was in the UK.

At the time of Amnesty International's interview, Josephine was a client of the Medical Foundation for the Care of Victims of Torture and her claim for asylum was still being considered. She also had a cardiac condition.

Detention following a dispute over the age of an asylum-seeker

Normally, in cases relating to minors, the UK authorities would grant them discretionary leave to remain until the age of 18.

In the case of Ibrahim, described below, the authorities did not accept that he was just 17 when he claimed asylum in the UK. He was not given discretionary leave to remain and he was taken into detention after he had turned 18.

Ibrahim

"I felt ashamed to be in detention and hated the environment"

Ibrahim lived with his father and sister in a central African country. When he was 17, a group of people came to his house looking for his father. They arrested and beat Ibrahim. He later learned that his father was murdered that night. Ibrahim

[7] Although Oakington is called a Reception Centre, it is run under Detention Centre Rules and is a locked centre; people are detained there under Immigration Act powers

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was held in prison for two months, during which time he was tortured.

Once released, fearing for his life, Ibrahim was taken by an agent via Niger, through Algeria and then on to the UK by boat. Abandoned, alone and frightened he was unaware he was in England. Speaking no English, with help he found his way to the Home Office. There, he explained that he did not have his passport but presented them with his birth certificate. The authorities did not believe that he was under 18 years of age. An independent paediatrician who examined Ibrahim agreed that he was 17.

Nevertheless, Ibrahim was interviewed by the Home Office regarding his asylum claim. His asylum application was refused and his appeal against this refusal was dismissed. Soon after, he turned 18.

Ibrahim unfailingly complied with the weekly reporting requirements. One day in January 2004, when he went to report he was told by immigration officers that since his appeal had been dismissed he would be detained and returned to his country of origin. He was held at Dover IRC, which he described as being "like a big prison", for almost a month.

While he was detained, his friends contacted his MP. Ibrahim was released on 3 February 2004. He was recognized as a refugee several months later.

The detrimental effects of detention

Over the years Amnesty International has come across many people who have escaped persecution in their own country only to be detained upon claiming asylum in the UK.

Detainees who have survived torture or serious trauma in their own country are more at risk of self-harm, including death, while in detention. Groups working with detainees express concern that the level of uncertainty among them about how long they are to be detained, combined with fears about the consequences of return, may exacerbate the risk of self-harm.

There are no regularly published figures about the number of self-harm incidents but figures included in the annual reports of some IRCs' Independent Monitoring Boards give some indication. For example, in Harmondsworth IRC in 2003, 55 self-harm incidents were recorded in 11 months.[8]

Mark

"I am walking but my soul is dead."

Mark fled his own country after his family was murdered. He applied for asylum on his arrival at Heathrow airport and was detained at Oakington Reception Centre where his asylum claim was fast-tracked. He was released on temporary admission but detained again when his appeal was dismissed.

He was detained in Haslar, Harmondsworth, and Colnbrook IRCs before spending 10 months in Dungavel IRC. He said that he tried to kill himself while in detention at Dungavel and elsewhere. He was also sent to Greenock Prison as he was self-harming.

The authorities attempted to forcibly return him to his own country two or three times before he was finally granted bail with sureties in October 2004.

[8] Amnesty International does not know how many of these were people who had sought asylum at some stage.

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At the time of Amnesty International's interview, Mark was still on anti-depressants. He said that due to the long period of time he spent in detention his relationship with his partner had ended. Mark appeared almost catatonic to the Amnesty International researchers who interviewed him. He was unable to answer many questions and appeared to be disoriented.

Prolonged detention

Amnesty International is concerned about the effects of prolonged detention on the mental and physical health of asylum-seekers and those whose asylum claims have been rejected.

George

At the time when George was taken into detention, in June 2002, the policy of the UK authorities was not to return people to his country of origin. In spite of this, he was detained until June 2004 when he was bailed. Long-term detention has had a profoundly detrimental effect on his mental health.

During his two years in detention, George was moved several times. During that time the UK authorities made six attempts to forcibly remove him from the UK. On one occasion the Immigration Service tried to send him to another Middle Eastern country without a travel document but the pilot refused to transport him.

George tried to kill himself in Harmondsworth and Dungavel. When Amnesty International interviewed George, he appeared so depressed as to be barely able to communicate.

Fast-track procedures

Amnesty International is concerned about the quality of decisions within the accelerated asylum-determination procedures. Speeding up the decision-making process can be beneficial only if it is not at the expense of quality and fairness. Furthermore, the expeditious processing of asylum claims should not be premised on detention.

Amnesty International is also concerned about the accelerated procedures at Oakington Reception Centre, where asylum claims will be presumed to be unfounded if the country of origin is on the list of so-called "safe countries", also known as the "white list". There is no right of appeal from within the UK against a negative decision on such claims. This is known as the non-suspensive appeal (NSA) procedure.

Jean

"I felt so stressed. It's horrible being in detention, especially with a child. My child wanted to kill himself, he said 'mummy we're in prison'."

Jean, a lesbian woman from a country where her life had been threatened, came to the UK as a visitor. Her brother, also a homosexual, had been shot dead by a group of men dressed as police. During the same incident, Jean's throat had been slit, leaving a long scar, and her girlfriend was shot at, though she managed to escape. All this took place in front of her young son, who was born after Jean had been raped. She and her son, then seven years old, applied for asylum in the UK in November 2002.

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Jean and her son were detained and taken to Oakington Reception Centre. Her case was determined under the NSA procedure.

Jean's asylum application was refused, and she was denied an in-country right of appeal. A judicial review of the decision to treat her case under the NSA procedure was unsuccessful.

She was kept in detention with her son pending the granting of a travel document by the authorities of her country. Her son received little education at Oakington.

Eventually, Jean and her son were released from detention after 143 days, following a successful bail application by a new lawyer. Following further representations Jean was granted an in-country right of appeal and she and her son were recognized as refugees in March 2005.

Allegations of ill-treatment

Amnesty International heard several allegations of escort staff using excessive force during attempted forcible returns.

Cisse

Cisse fled his own country in West Africa after the president was assassinated, his family were targeted, his house destroyed and his younger brother killed. He claimed asylum three days after arriving in the UK and at the same time declared that he had used a false passport to enter the country. He was immediately detained, but released after eight days when his lawyer lodged an appeal against the initial refusal of his asylum claim.

Cisse remained in contact with the Immigration Service while waiting to hear about the outcome of his appeal. One day, he was in the street when his ID was checked by police who, after conferring with the Immigration Service, told Cisse that his appeal had failed. Cisse told Amnesty International that neither he nor his lawyer had been informed of the date of his appeal hearing or its dismissal. He was taken into detention at Harmondsworth IRC.

Two days later, the Immigration Service tried to forcibly return Cisse to his own country without any of his belongings. However, the flight was cancelled and he was booked onto another flight five days later. He resisted being forcibly removed and alleged that he was badly beaten by eight escorts from the private company employed to carry out forcible removals. He complained that as a result of this assault, he was badly bruised, his face was bleeding and he could not stand unaided. He was taken back to Harmondsworth IRC where he was seen by a nurse but had to wait four days to see a doctor.

Another attempt was made to forcibly remove him, in handcuffs, but the pilot refused to carry a passenger in handcuffs.

Cisse's first bail application was dismissed on the basis that he had refused to cooperate and had been violent during the attempts to forcibly remove him. He was distressed because, despite presenting medical evidence documenting the assault he had been subjected to by escort staff, he was not believed. Instead, the escort staff, who counter-claimed that he had assaulted them, were believed in the absence of any medical evidence in support of their allegations.

Cisse was eventually released on bail in September 2004 after more than 10 months in detention.

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The legal framework for detention of people who have claimed asylum at some stage

Under international refugee law the detention of asylum-seekers is the exception and should normally be avoided. Asylum-seekers whose claims are being considered are entitled to a presumption of liberty. In addition, asylum-seekers are entitled under international standards to be presumed as deserving of protection unless and until their application for asylum is dismissed as a result of a fair and efficient process.

Once an asylum applicant's claim has been dismissed following such processes, the individual concerned is considered as not deserving of protection under international refugee law. It is at this stage that people whose asylum claims have been dismissed can lawfully be detained to remove them from the territory in safety and dignity.

However, detention should only be used when non-custodial alternatives would not suffice. The resort to detention must also be for the shortest possible time and with a view to forcibly removing the individual concerned within a reasonable time. The authorities must demonstrate that there exists a prospect of enforcing the expulsion of the person concerned from their territory within a reasonable time and that they are pursuing with due diligence expulsion arrangements. Therefore, states cannot detain people indefinitely.

When is detention lawful?

According to international law, depriving people who have not committed a crime of their liberty should only be resorted to in exceptional circumstances.[9]

A key safeguard against arbitrary detention is for each decision to detain to be reviewed automatically and regularly as to its lawfulness, necessity and appropriateness by means of a prompt oral hearing by a court or similar competent, independent and impartial body.

International legal standards aim to protect against arbitrary detention. The authorities are expected to take into account factors such as past behaviour, risk of absconding, whether less severe measures than detention have been considered and found to be insufficient, and the effectiveness of detention.

Under UK law, immigration officers and Home Office officials have powers to detain those who are subject to immigration control, including asylum-seekers and people whose asylum claims have been dismissed. There are no statutory criteria for detention.

[9] Freedom from arbitrary arrest or detention is a basic human right. General human rights law includes a series of measures to ensure that all individuals, including refugees and asylum-seekers, are not arbitrarily or unlawfully deprived of their liberty. Sources of international law governing detention include the Universal Declaration of Human Rights (UDHR), the 1951 UN Refugee Convention and its 1967 Protocol, the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC). At a regional level, Article 5 of the European Convention on Human Rights (ECHR), which enshrines the right to liberty and security, protects all persons, including those who have sought asylum, against arbitrary detention. Article 5 safeguards the right to liberty and prescribes the narrow circumstances in which the deprivation of liberty might be justified.

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Stated UK policy allows for detention to be used to prevent absconding; to establish identity; to remove people from the UK at the end of their asylum or immigration case; and for the purposes of making a decision on a claim for asylum deemed to be straightforward and capable of being decided quickly. There is no upper or lower age for being detained as asylum-seekers or immigrants in UK law.

Increasing forced returns

In recent years, the UK authorities have focused on increasing the number of forcible removals of asylum applicants whose claims have been dismissed and others who, purportedly, have no right to remain in the country. This policy has resulted in an increase in the number of people in detention, on the basis of the assertion that detained people are easier to remove.

Government ministers have made clear that an expanded detention estate is seen as key to facilitating this process. In February 2005, despite falling numbers of new asylum-seekers, the Home Office announced a further 300 detention places by 2007.

Where people are detained

At the start of 2005, nine so-called IRCs and Oakington Reception Centre were being used to detain those who have sought asylum in the UK. A number of so-called short-term holding facilities were also in operation.

With the exception of Haslar, Dover and Lindholme IRCs, which are run by the prison service, all Removal Centres are operated by private companies, contracted by the Immigration and Nationality Directorate.

Mainstream prisons are also used to house people who have sought asylum. According to Home Office statistics, 90 people who had sought asylum were held in prisons on 25 December 2004.

In Northern Ireland, there are no dedicated detention facilities; all immigration detainees are held in prisons. [10] In February 2004 the House of Commons Northern Ireland Affairs Committee endorsed calls for immigration detainees to be dealt with outside the prison system.

The truth about numbers

The Home Office produces quarterly statistics providing a snapshot figure of the number of people detained on a given day under Immigration Act powers who have sought asylum. For example, according to the official statistics, on 25 December 2004 around 78 per cent of those held in detention under Immigration Act powers had sought asylum. The snapshot figures for the four quarters of 2004 ranged from 1,105 people who had sought asylum detained on a given day, to 1,515. Because of the quarterly nature of the snapshot figure, some people could be detained for up to 89 days and their detention would still go unreported.

Despite these statistics, there is a notable lack of transparency regarding the exact number of those detained throughout the year or the length of their detention. The only exceptions are Oakington Reception

[10] Although the Crumlin Road Prison is closed, the Northern Ireland Prison Service has a unit which accommodates male immigration detainees known as "the immigration detainee unit" at the former prison on the Crumlin Road.

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Centre and Harmondsworth IRC, for which some more detailed figures for those whose asylum applications are fast-tracked are available.

Amnesty International has concluded that the Home Office quarterly statistics belie the true scale of detention of those who have sought asylum at some stage and believes that thousands of people are being detained each year, some of them for lengthy periods.

All those detained under Immigration Act powers are allocated a "detention coordination" reference number when initially detained which should remain with the detainee throughout their detention period and any subsequent detentions. This number records the year in which the person is originally taken into detention and is used to manage the detention and escort of detained individuals.

The exception to this, according to information provided by the Immigration and Nationality Directorate, are asylum-seekers detained at Oakington who are then given temporary admission.

Based on figures produced by the Home Office, Amnesty International suspects that at least 27,000 people who had sought asylum at some stage were detained in 2003 and 25,000 in 2004.[11] Because the authorities only release snapshot statistics, Amnesty International is unable to calculate how long each individual was detained. In the absence of official statistics it is also impossible to verify whether an individual has been detained continuously or released at some stage and re-detained.

Amnesty International is gravely concerned about the non-availability of official statistics giving a full picture of the number of people held in detention, including for prolonged periods. This concern has been echoed by the Parliamentary Home Affairs Committee.

Amnesty International believes that the reality is a system in chaos and that many asylum-seekers are languishing in detention for long periods of time only to be released on bail or temporarily admitted.

In addition, Amnesty International believes that many asylum applicants detained in order to be forcibly returned end up not being removed and are eventually released. This prompts the question of why their detention was considered necessary in the first place. Therefore, questions arise as to whether the UK authorities are giving adequate consideration to non-custodial alternatives before resorting to detention.

Justice denied

Seeking asylum is not a crime

In 2004 a judge of the High Court of England and Wales expressed concern that an asylum-seeker's claim had been dismissed because a negative inference had been drawn from the fact that she was in detention. Amnesty International fears that such bias may be prevalent across the system.

In the course of its research, Amnesty International came across negative views expressed by officials regarding asylum-seekers, including perceptions that they

[11] These figures exclude those people who had been detained in previous years and were still in detention in these years.

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had committed an offence. Seeking asylum, however, is not a crime. On the contrary, people claiming asylum are exercising a right which is enshrined in international law.

Amnesty International considers that the presumption that people seeking asylum deserve protection should extend until all avenues of appeal have been exhausted.

Amnesty International is also concerned that these negative views affect the way in which asylum-seekers are treated within the immigration detention estate.

No maximum time limit

There is no statutory maximum time limit for detention under Immigration Act powers.

Like others subject to immigration control, people who have sought asylum should never be detained indefinitely simply on account of the dismissal of their claim.

Amnesty International is concerned that in many cases the UK authorities cannot demonstrate that there is a reasonable prospect that removal will take place within the shortest possible period of time, as required under international law.

Inadequate communication

Under international refugee law asylum-seekers have the right to access and receive adequate and timely information about their asylum claim. This was not the experience of many of those that Amnesty International interviewed [12]. In addition, anyone deprived of their liberty has a right to know the reason for their detention, and to be informed of the avenues available for them to seek to bring the detention to an end. Amnesty International is concerned that adequate effort is not being made to explain to detainees in their own language the reasons for their detention, contrary not only to stated detention centre rules but also to international law and standards.

The "bed lottery"

For many detained asylum applicants, their detention is arbitrary in that it is determined by the availability of beds rather than by considerations of necessity, proportionality and appropriateness.

During a visit to an enforcement unit and short-term holding facility in London, Amnesty International was told that on any given day there was capacity for up to eight people to be taken into detention as they came in to comply with their reporting requirements. From what the organization's researchers were told, Amnesty International infers that one person may be taken into detention without any prior warning simply on the basis that a bed has become available, while another would not because the beds available on that day had already been filled. Amnesty International believes that the arbitrary nature of this system amounts to a "bed lottery".

"Special operations"

At different times the UK immigration authorities conduct "special operations" geared towards detaining -- for the purpose of removal -- people of certain nationalities. An operation targeting Chinese nationals was ongoing at the time that Amnesty International was conducting its research for this report. Immigration officials explained that the process of

[12] The one exception to this is at Oakington Reception Centre, where, uniquely within the immigration detention estate, publicly-funded legal advice and representation are provided on site by the Immigration Advisory Service and the Refugee Legal Centre.

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obtaining valid travel documents for Chinese nationals had been considerably speeded up following an "agreement" with the Chinese authorities.

Amnesty International considers the targeting of individuals for detention on the basis of their nationality to be arbitrary and a profound denial of justice.

Is all this detention necessary?

According to the UK authorities, the normal criteria for detaining asylum-seekers are: to establish identity and the basis of the claim; where there is a risk of the claimant absconding; to effect removal; or as part of a fast-track asylum process. However, Amnesty International believes that detention is increasingly being used in cases in which these criteria are not met.

For example, it is very common for the Immigration Service to refuse to grant temporary admission or to oppose bail on the basis that the applicant is likely to abscond. The UK authorities were unable to provide Amnesty International with any concrete evidence of this perceived risk. No official statistics or estimates are available on how many people lose contact with the immigration authorities each year. Amnesty International seriously doubts that in the majority of cases detention can be justified by reference to a risk of absconding.

The organization interviewed people who had sought asylum and who had been detained reportedly on the basis of the authorities' assertion that they presented a risk of absconding while, in fact, the individuals concerned had been complying fully with reporting requirements prior to being detained.

Amnesty International is also concerned that in some cases people who were lawfully detained to begin with continue to be detained after the circumstances change. Asylum-seekers whose claims have been dismissed may lawfully be detained for the purpose of carrying out their forced removal, but their detention becomes unlawful if, for example, there are prolonged delays in obtaining valid travel documents.

Lack of access to legal counsel

Since April 2004, cuts in publicly funded legal aid for asylum cases have particularly affected those asylum claimants who are detained.

Lack of effective legal assistance affects detainees' ability to pursue their cases or challenge the lawfulness of their detention, and prejudices their chances of being granted bail.

Amnesty International heard from a variety of sources about legal representatives who had failed to provide supporting evidence on their clients' behalves or who had abandoned their clients after they had been detained.

The remoteness of most of the IRCs similarly restricts detainees' ability to pursue asylum claims or to seek justice. For example, some detainees at Dungavel IRC in Scotland were no longer in receipt of the legal assistance they had had in England. Access to competent legal assistance is also disrupted by the movement of detainees around the detention estate.

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Accelerated procedures and detention – justice denied faster

Asylum policy has increasingly focused on procedures devised to deal with asylum claims more "speedily". In March 2000, Oakington Reception Centre opened to detain asylum-seekers and process their claims in seven days.

The Nationality Immigration and Asylum Act 2002 introduced the power for the UK authorities to certify an application as "clearly unfounded" and removed the right of appeal from within the UK for asylum-seekers whose claims had been rejected at first instance. This is referred to as the non-suspensive appeal procedure (NSA).

In April 2003 the UK government extended the use of fast-track asylum processes, introducing a "super fast-track" process for single men at Harmondsworth IRC. Unlike Oakington, where detainees can be released after a negative first-instance decision while they appeal (except for those under the NSA procedure), at Harmondsworth IRC single male asylum-seekers remain detained throughout the asylum-determination process. The system imposes a very tight timetable for decision-making.

In May 2005, a "detained fast-track" process started for single women at Yarl's Wood IRC.[13] Plans were also announced for enabling up to 30 per cent of new asylum applicants to be put through the "detained fast-track procedure" by the end of 2005.

The criteria for "detained fast-track procedures" are set out in the so-called "Fast Track Processes Suitability List", maintained by the UK authorities. These criteria are very broad and could apply to the majority of asylum applicants.

In 2002, the Law Lords ruled that detention of asylum-seekers for the purpose of making a decision on an asylum claim was lawful for a period of seven to 10 days, and that use of detention was a proportionate response to the need to process a large number of cases. This decision is cited by the UK authorities as the basis for the lawfulness of detaining asylum-seekers for the sole purpose of deciding their claims quickly.

However, administrative and procedural delays mean that in some cases the asylum-determination process is not fast. The Home Office has stated that while decisions at Oakington are given within the seven-to-10-day timescale, for NSA cases the majority of decisions take 14 days.

There is evidence that members of vulnerable groups who by the UK government's own guidelines should not be detained, including young people whose age is disputed, are not being withdrawn from the fast-track procedures.

Amnesty International is concerned that the vast majority of fast-track asylum claims are initially refused. For example, at both Oakington and Harmondsworth, 99 per cent of initial claims were refused during the first quarter of 2005.[14]

The UK authorities see the high refusal rate as evidence of the high number of "unfounded" asylum claims. However,

[13] This will operate along the same timetable as that of Harmondsworth IRC.

[14] *Asylum Statistics: 1st Quarter 2005 United Kingdom,* Home Office Research Development and Statistics Directorate, May 2005, tables 15, 17 and 19.

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there is concern that the tight timescale renders fair decision-making almost impossible.

There is particular concern about the predicament of survivors of torture who may not be able, in the time allowed, to disclose experiences of torture crucial to their case.

In 2004, the Refugee Legal Centre mounted a legal challenge to the super fast-track process, arguing that the system was too fast to be fair and seeking a four-day, rather than a three-day, timetable for decisions in super fast-track cases. The challenge did not succeed in changing the timetable. However, in a parliamentary statement in September 2004 the Home Office set out a revised fast-track process detention policy, indicating the government's intention to be flexible with regards to the time scale for decision-making (even though people would be detained for the duration of the process).

Amnesty International acknowledges that prompt decisions can reduce the uncertainty and psychological suffering of applicants. However, this only applies if the procedures are fair.

Amnesty International believes detention is not necessary for the quick processing of asylum claims and is concerned that many asylum-seekers are being detained for administrative convenience.

In light of these findings, Amnesty International considers that the UK authorities' decision to fast-track asylum claims, which triggers detention at Harmondsworth IRC, Oakington Reception Centre and Yarl's Wood IRC, is nothing less than a lottery. Amnesty International believes that the absence of a case by case examination of the necessity, proportionality and appropriateness of detention makes it unlawful under international law.

The fast-track procedures at Oakington Reception Centre

At Oakington, asylum-seekers are detained while their claims are considered at first instance. Once the initial decision on a fast-tracked asylum claim has been reached, in most cases resulting in a refusal, those asylum-seekers who have a right of appeal from within the UK may be released and given temporary admission.

Among the asylum-seekers whose claims are fast-tracked at Oakington Reception Centre are those who originate from a country on the "white list". Under the NSA procedure, these applicants can then be forcibly returned to their country of origin with no opportunity to appeal against a refusal of their claim from within the UK. They can also be placed in longer-term detention at this stage**.**

Amnesty International opposes the presumption within the NSA procedure that asylum claims made by applicants from "white list" countries are unfounded. The organization believes that, in accordance with internationally recognized standards for refugee protection, an asylum claim should not be prejudged on the basis of the country from which asylum is being sought. Each claim should be considered on its own merits, and every asylum-seeker who applies for asylum in the UK should be entitled to appeal from within the UK against an initial decision to refuse their claim.

Furthermore, Amnesty International learnt that, in addition to asylum-seekers from

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so-called "white list" countries, asylum applicants who are not from countries featured on this list could have their claims processed through the expedited NSA procedure if the authorities considered their claims to be "unfounded".

The super fast-track at Harmondsworth IRC

The "detained super fast-track process" at Harmondsworth IRC is for applicants whose claims are considered suitable for a quick decision. It includes a rapid appeals procedure which operates while people continue to be detained prior to forcible removal if their claim is dismissed. There is also an on-site facility for appeals to be reconsidered by the Asylum and Immigration Tribunal. Applicants are detained throughout the process.

There are 180 beds ring-fenced for single males at Harmondsworth IRC, with an intake of nine cases a day into the fast-track procedures. On the day of Amnesty International's visit in February 2005, there were 150 detained asylum-seekers whose claims were being fast-tracked.

If the fast-track bed allocation for the day is full, then the asylum applicant may be sent to Oakington Reception Centre. In some circumstances they could be given temporary admission and then re-detained once a bed becomes available.

There are 30 Home Office caseworkers at Harmondsworth, each given two to three cases a week. There is also a duty rota for publicly funded legal representatives who act on behalf of detainees.

Each asylum applicant is allocated a caseworker, an interpreter if necessary, and a lawyer. The asylum interview is carried out on day two of the process and a decision on the claim is normally delivered on day three. An appeal against a refusal of asylum is likely to be determined by day 10. If the appeal is dismissed, the detainee has three days in which to apply for the appeal to be reconsidered by the Tribunal.

Amnesty International was told that since fast-track procedures at Harmondsworth commenced in April 2003, nearly 2,000 initial decisions had been taken. Just seven applicants had been granted refugee status, and one humanitarian protection. Ninety-eight per cent had received a refusal on their initial decision, of whom 78 per cent had appealed. Over 20 appeals against the refusal of asylum had been allowed but, of those dismissed, very few had been given permission to appeal to the Immigration Appeals Tribunal. (The new single-tier Asylum and Immigration Tribunal had not yet started functioning at the time of Amnesty International's visit to Harmondsworth IRC.)

Over half of "unfounded" cases were forcibly removed within 42 days and over 85 per cent within about three months. The UK authorities consider such a rate of forcible removals to be a "success". Amnesty International is concerned that three months in detention awaiting removal is a severe sanction.

Amnesty International believes that the imposed time constraints make it impossible for the super fast-track procedure to be fair, resulting in a denial of justice for the individuals concerned.

Conclusions

The UK authorities claim that detention is pivotal to their strategy to remove asylum-seekers whose claims have been dismissed.

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They have also stated that "detention would only be used as a last resort". Despite this, Amnesty International found that many people who have been detained after seeking asylum in the UK are languishing in detention.

Under international refugee law and standards, asylum-seekers whose claims are being considered are entitled to a presumption against detention. The use of detention in fast-track asylum-determination procedures is unjust and contrary to this presumption.

Furthermore, given that almost all asylum claims processed through the detained fast-track procedures are refused, Amnesty International is concerned that these procedures are unfair.

The UK authorities portray the situation as one where most people in detention are individuals whose asylum claims are without merit and who are detained to effect their forcible removal from the country. However, the situation is more complex. Amnesty International interviewed many people who had been detained and then released. Amnesty International is concerned that the UK authorities are targeting for detention those individuals who fully comply with reporting requirements. It is worth noting that the authorities have not produced any research to back up their assertions on the risk of absconding.

While those detained have a right to apply for release on bail, bail proceedings are not the legal avenue by which the lawfulness of detention can or should be determined. In fact, a granting of bail is premised on the lawfulness of detention.

Amnesty International considers that the onus should be on the UK authorities to justify the lawfulness, proportionality and necessity of detention in each case. Amnesty International considers that each decision to detain should be automatically and regularly reviewed as to its lawfulness, necessity and appropriateness by means of a prompt oral hearing by a court or similar competent, independent and impartial body.

Amnesty International found that in many cases detention may be arbitrary, because it is determined by the availability of beds. In addition, the detention criteria are so broad that almost any person who has sought asylum is at risk of being detained under Immigration Act powers.

Amnesty International found that detention was protracted, unnecessary, caused untold suffering and was in many cases unlawful since it failed to fulfil the authorities' stated purpose of removal. Amnesty International suspects that possibly twice as many people are being detained as are being forcibly removed from the UK.

The plight of people who have sought asylum in the UK and been detained remains a hidden one. The UK authorities do not produce comprehensive statistics on the number of people detained in the course of a year, at what stage of the process, or the length of detentions.

Those in detention are often unable to pursue their asylum claim effectively, challenge the lawfulness of their detention or apply for bail, due to the curtailment of publicly funded legal aid. (The exception is Oakington Reception Centre where

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publicly funded legal advice and representation are available on site.)

The remote location of some of the places of detention restricts people's contact with the outside world, impeding their ability to pursue their claims or bring their detention to an end. This is compounded by the fact that people are frequently moved from one detention centre to another.

Deprivation of liberty for those who have committed no criminal offence is a severe sanction that should only be resorted to following a case by case examination of strict necessity, proportionality and appropriateness.

Recommendations

Amnesty International is opposed to the detention of asylum-seekers except in the most exceptional circumstances as prescribed by international and regional law and standards, including the *UNHCR Revised Guidelines on Applicable Criteria and Standards Relating to the Detention of Asylum Seekers*. Detention will only be lawful when the authorities can demonstrate in each individual case that it is necessary and proportionate to the objective to be achieved, that it is on grounds prescribed by law, and that it is for one of the specified reasons which international and regional standards recognize as legitimate grounds for detaining asylum-seekers.

Amnesty International also opposes the detention of people who have claimed asylum and whose claims have been dismissed by the authorities, unless, for example, the detaining authorities can demonstrate that there is an objective risk that the individual concerned would otherwise abscond, and that other measures short of detention, such as reporting requirements, would not be sufficient.

With respect to both categories, detention should also be for the shortest possible time. In addition anyone held in detention must be promptly brought before a judicial authority and be provided with an effective opportunity to challenge the lawfulness of the decision to detain him/her.

Amnesty International urges the UK authorities only to resort to detaining those who have sought asylum in exceptional circumstances and only when it is lawful.

Should the UK authorities continue to detain people who have sought asylum, in light of its research for this report, Amnesty International urges that, as a minimum, the following recommendations be immediately implemented:

- there should be a statutory presumption against detention;
- alternative non-custodial measures, such as reporting requirements, should always be considered before resorting to detention;

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- there should be a statutory prohibition on the detention of vulnerable people who have sought asylum, including: torture survivors, pregnant women, those with serious medical conditions, the mentally ill and the elderly;
- there should be a statutory prohibition on the detention of unaccompanied children;
- criteria for detention should be clearly set out on a statutory basis;
- the decision to detain should always comply with relevant international standards pertaining to the lawfulness of detention;
- the decision to detain should always be based on a detailed and individualized assessment, including the personal history of, and the risk of absconding presented by, the individual concerned. Such assessment should consider the necessity and appropriateness of detention, including whether it is proportionate to the objective to be achieved;
- each decision to detain should be automatically and regularly reviewed as to its lawfulness, necessity and appropriateness by means of a prompt, oral hearing by a court or similar competent independent and impartial body, accompanied by the appropriate provision of legal aid;
- detention should always be for the shortest possible time;
- there should be a statutory maximum duration for detention which should be reasonable in its length. Once this period has expired the individual concerned should automatically be released;
- there should be a statutory prohibition for those who have sought asylum at some stage and who are held solely under Immigration Act powers to be held in prison;
- any allegations of racism, ill-treatment and other abuses of those held in detention should be investigated immediately in compliance with relevant international standards and those responsible should be dealt with appropriately, including when warranted, by being brought to justice;
- people who have sought asylum and are detained should be granted access to publicly funded legal aid, interpreters, doctors, non-governmental organizations, members of their families, the UNHCR and should be able to communicate freely with the outside world;
- unnecessary and gratuitous movement of people who have sought asylum within the immigration detention estate should be avoided;
- detailed statistics of the total number of people who have sought asylum at some stage and who are detained solely under Immigration Act powers should be provided each year, noting at what stage of their asylum application they were detained, the duration of their detention, the location of their detention, their movements within the immigration detention estate, their age if under 18 and over 65, and their gender;

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- independent research should be commissioned and official data produced and made publicly available on the risk of absconding, in particular for those whose asylum claims have been dismissed.

In light of Amnesty International's concerns about the detention of asylum-seekers whose claims are being processed under the fast-track procedures operated at Harmondsworth IRC, Oakington Reception Centre and, most recently, at Yarl's Wood IRC, the organization calls on the UK authorities to implement the following recommendations as a matter of urgency:

- the Government should abandon its planned increase of the capacity of the detention estate, in particular its stated intention to increase to up to 30 per cent the number of new asylum applicants whose claims will be fast-tracked while they are held in detention;
- there should be a presumption against the detention of asylum-seekers whose claims are being processed. If detention is resorted to, it should be in strict compliance with relevant international refugee law and standards;
- asylum claims should be determined expeditiously and fairly on the basis of their individual merits. The timetable for fast-track procedures must ensure that the decision-making process is fair and that the expedited nature of the determination is not at the expense of quality or procedural fairness;
- any presumption that asylum claims may be deemed "unfounded" solely on the basis of the country from which asylum is being sought -- as is currently the case with the list of "safe countries", the so-called "white list" -- must be abandoned;
- in compliance with international standards, all asylum claims should be processed through a fair and effective asylum-determination procedure which includes an "in-country" right of appeal against the refusal of asylum. Legislation providing for non-suspensive appeals should be repealed.

This report summarizes a 94-page document (35,794 words), *United Kingdom - Seeking asylum is not a crime: detention of people who have sought asylum* (AI Index: EUR 45/015/2005) issued by Amnesty International on 20 June 2005. Anyone wishing further details or to take action on this issue should consult the full document. An extensive range of our materials on this and other subjects is available at http://www.amnesty.org and Amnesty International news releases can be received by email:

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Politics

"This group does not represent our community" - Appeal for calm ahead of planned protests

By Maya George
Local Democracy Reporter

Published 29th Jul 2026, 18:07 BST

John Healey Budget announcements on defence

Two opposing protests are taking place this weekend

A councillor has called for calm and respect ahead of planned protests in **Gosport** town centre this weekend.

Two groups are expected to gather on Sunday, prompting concerns following previous demonstrations in the area.

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Hampshire Resistance – which is described as "supporting British culture and values" – will meet at the Falklands Memorial Garden before marching along the High Street and back along South Street.

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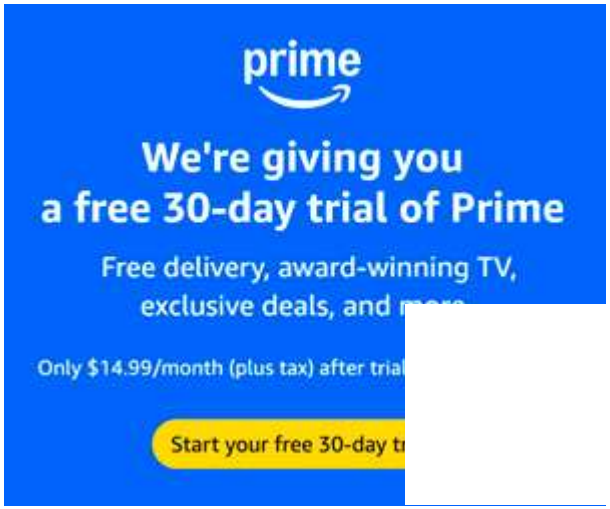
Meanwhile, the unity rally will gather outside the Discovery Centre from 12.45pm.



Cllr Lesley Meenaghan, Gosport Conservative | via LDRS

Cllr Lesley Meenaghan, Conservative for Leesland and Town, said a protest held by Hampshire Resistance in April had been “completely disrespectful to our community, our families, our children”.

In a video shared on Facebook, she called for respect from all those involved.



She said: “This Sunday there are going to be two groups in Gosport town centre – Hampshire Resistance and a unity rally from Gosport Together.



“In April, Hampshire Resistance conducted a protest march in Gosport and were completely disrespectful to our community, our families, our children, and to us who live in Gosport. We were shocked by that behaviour.

“Of course we recognise and respect freedom of speech, but that is a two-way street.

“If you are going to come here and you’re going to hold a protest, do a march, make a speech, let’s be respectful of Gosport and its residents and children.

“Let’s be respectful to each other.”

Meanwhile, organisers of the Gosport Together counter-demonstration said their event is aimed at promoting unity and opposing what they described as hate-driven rhetoric.

In a Facebook post, Gosport Together said: “Far right groups from Portsmouth plan to hold a protest in Gosport.

“While they claim this will be a ‘peaceful protest,’ previous events have involved hate speech against minority groups, targeted harassment, and violent rhetoric which included several arrests afterwards.

“This group does not represent our community, and their presence threatens the safety and wellbeing of residents.”



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The group added it is made up of residents "dedicated to keeping our town safe, inclusive, and welcoming for everyone, regardless of race, religion, culture, or gender".

They said: "Please join us on August 2 to stand together in unity against hate and show that everyone is welcome in Gosport."

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Gosport anti-immigration protest to take place on St George's Day

22nd April Politics Gosport



Police *(Image: Supplied)*



By George Ratcliffe
Reporter

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The protest organised by Hampshire Resistance is expected to take place at Falkland Gardens in Gosport on St George's Day - April 23.

A previous protest took place on April 12 which was criticised by residents after protestors used offensive language and burned a flag.



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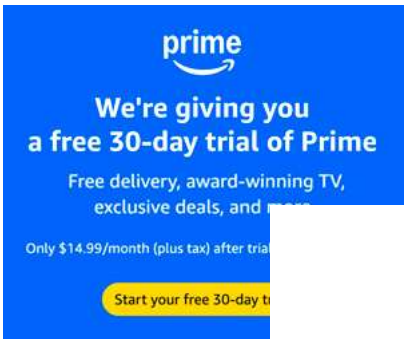
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Police *(Image: Supplied)*

Councillor Lesley Meenaghan said: "I have been contacted by many local residents who attended the march on April 12, believing it would be a peaceful protest.

"These residents, some of whom had taken their children, were appalled by the offensive language used, the hate speech, and the verbal aggression shown by some attendees, many of whom were not from Gosport.



"Another public gathering by Hampshire Resistance is due to take place on April 23, St George's Day, in Falkland Gardens.

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Officers were present throughout the day to maintain public safety and minimise disruption.

Police will also be in attendance for the St George's day protest.

A police spokesperson said: "We have been made aware of a planned protest at Falkland Gardens in Gosport on Thursday, April 23.

"We have been liaising with the organisers and partner agencies to ensure public safety and minimise disruption to the local community, as well as to prevent **crime** and disorder. The Neighbourhood Policing Team is aware of the planned activity and will be patrolling in the town centre.

"Everyone has the right to free speech and peaceful protest, which must be respected.

"Policing protests requires us to balance the rights of those peacefully protesting and the rights of others to go about their lives without being subject to unacceptable disruption, whilst keeping the public safe."

Politics Gosport

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Six arrested after anti-migrant protest at Gosport marina

Heeding calls from far-right activist Daniel Thomas, hundreds of protesters turned out in Hampshire

Rajeev Syal *Home affairs editor*

Wed 23 Sep 2026 15.55 BST

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Six people have been arrested after anti-migrant protesters gathered at a marina in Hampshire in the mistaken belief that a small boat was due to arrive.

Heeding calls from the far-right campaigner Daniel Thomas, hundreds of protesters gathered early on Tuesday evening at Gosport in Hampshire, aiming to disrupt any disembarkation of asylum seekers. The Border Force vessels carrying them landed instead in Dover early on Wednesday.

Thomas, who styles himself as Danny Tommo, spent Tuesday afternoon in a speedboat in the Channel broadcasting his pursuit of the asylum seekers to more than 100,000 people.

He is facing a police inquiry after using a blade to slash an inflatable dinghy in the Channel while a rescue worker was onboard.

Hampshire police said two men from Salisbury, aged 19 and 36, had been arrested on suspicion of aggravated trespass; and four people from Gosport - two men aged 33 and 67, and two women aged 31 and 32 - were held on suspicion of assaulting an emergency worker.

The 67-year-old was also held on suspicion of careless driving.

Police are "conducting inquiries" into footage of Thomas slashing the side of an inflatable boat while a member of a rescue team was still on it, then sailing away shouting: "Traitors."

The arrests were made after unions representing Border Force staff discussed security concerns with the Home Office following increasingly aggressive tactics by anti-migrant activists.

The discussions followed attacks on Border Force vehicles and attempts to record and identify staff members by some anti-migrant activists.

The Home Office plans to use public order powers to stop the harassment and possible doxing of government staff who pick up small-boat arrivals at sea.

Lucy Moreton, of the Immigration Services Union, said: "Following several conversations with the ISU regarding staff safety, the Home Office is working with local police and MoD [Ministry of Defence] to ensure that staff, and migrants, are properly protected using existing police powers and civil service support networks."

Fran Heathcote, the general secretary of the PCS union, which represents Border Force guards, said: "PCS unreservedly condemns this life-threatening and criminal behaviour. Our members do an important and dangerous job and this inference is reckless in the extreme."

A Home Office spokesperson said: "We have been clear that groups creating fear and intimidating communities cannot be allowed to operate with impunity.

"Police should make full use of the powers available to them to deal robustly with criminality and ensure communities, staff and those in their care are protected.

"Recent events demonstrate the need to learn lessons and adapt our response to new tactics, ensuring police have the tools, intelligence and operational plans needed to act quickly and effectively."

Some of the protesters in Gosport wore black clothing and face coverings, and chanted “send them back”, wrongly assuming the boat would be guided to the Hampshire coast.

In fact, it docked in Dover, Kent, at about 12.30am on Wednesday after 51 people onboard reportedly refused help from a French ship and spent 33 hours at sea.

It emerged on Tuesday that a second small boat had arrived on UK shores within the last 24 hours without being detected and intercepted.

The boat reached Samphire Hoe, near Dover, on Tuesday afternoon. Border Security Command has detained 21 migrants so far.

On Monday, five people were detained and passed to Border Security Command after a dinghy made it to shore at Folkestone, also in Kent.

The defence minister Luke Pollard dismissed suggestions the government had lost control of the border.

“Our borders are secure, but we want to make them stronger,” he told LBC Radio, adding that a Home Office investigation was under way into what had happened.

A man was found dead on a beach in northern France on Wednesday, French authorities have said.

In a translated statement, a spokesperson for the Pas-de-Calais prefecture said: “The lifeless body of a man, who appeared to be of African origin, was discovered this morning on the Neufchâtel-Hardelot beach.

“An investigation has been launched.”

A total of 17,480 migrants have arrived in the UK after crossing the Channel by boat so far this year, including 5,011 since Andy Burnham became prime minister.

The total so far for 2026 is down 46% on the same point last year.

Shabana Mahmood, the home secretary, has ordered a review after the Border Force failed to intercept a second dinghy in two days. A government spokesperson said on Wednesday: “Border Security Command officers alongside Kent police have been responding to an incident in Dover.

“Twenty-one individuals have already been detained under a swift enforcement response. There is a thorough investigation and it would be inappropriate to comment further.”

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'Masked men dominating our streets': Anti-racism groups condemn Gosport

Published 23rd Sep 2026, 08:14 BST
Updated 23rd Sep 2026, 10:47 BST

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The campaigners said sexual violence is being used cynically to fuel racism

Anti-racism campaigners have shunned recent migrant protests amid an aborted boat landing in Gosport.

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Women Against The Far-Right (WAFR) said concerns regarding sexual violence is being weaponised by cynical politicians and groups to fuel hatred. A **large crowd of anti-migrant protesters** arrived in Gosport Marina last night (September 22) after reports of a boat docking there.

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Police made six arrests at the scene and are investigating footage of Daniel Thomas, known as Danny Tommo, slashing a migrant boat with a knife while at sea. The Press Association and other national news outlets reported that a number of people seen at

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DAY TO DAY

the demonstration were men wearing black shirts, several with face coverings. They were seen chanting “send them back”.

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Police and protesters in Gosport, Hampshire after police closed off the access road to Haslar Marina, after British rescue boats have been sent to collect the passengers of a migrant dinghy which has spent around 30 hours at sea. | Trevor Adams/PA Wire

“WAFR Portsmouth condemn the intimidation and violence of the far-right that have been mobilising in Portsmouth and along the south coast,” a statement said. “The last few weeks has seen groups of masked men dominating our streets and shoreline. It happened in Dover, in Eastney, and most recently in Gosport.









“In Portsmouth, Women Against The Far-Right are gathering to say that women, and all those who support us, are fed up with far-right activists using violence against us as a smokescreen for racism. The truth is that sexual violence is endemic across society and public services to support women and girls continue to be under funded. Danny Thomas and the far-right are not defenders of women, but opportunists using sexual violence to fuel Islamophobia and anti-migrant hostility.”

The group have organised a vigil at Guildhall Square on Wednesday, September 23, at 6pm in support of the RNLI. The charity temporarily closed its lifeboat station in Portsmouth in order to **protect volunteers from online and physical abuse**.

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The last remaining protestors in Gosport | Lottie Keen

The boat containing 51 migrants **landed in Dover in the early hours**, after the vessel refused help from the French Coastguard and was at sea for more than 33 hours in an effort to reach Britain. British rescue boats were sent to collect passengers aboard the dinghy, and the UK's Maritime and Coastguard Agency said they would be transferred to Border Security Command.

















Gosport MP Dame Caroline Dinenage, Conservative, said she was told by the Home Office that the arrival of a vessel in her constituency was likely. Demonstrators gathered at the town in protest, and a heavy police presence followed. Crowds dispersed at around 8.30pm after it was clear the vessel would not land in Hampshire. It arrived in Dover at 12.30am this morning.

Councillor George Madgwick, Leader of the Reform UK Group on Hampshire County Council, described the response as “power to the people”. He added in a social media statement: “There were so many people in attendance at Gosport and so much publicity that the Home Office have aborted the docking at Gosport of the illegal migrant boats.

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Protestors remain on site despite confirmation that migrants were no longer arriving. | Lottie Keen

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Police and protesters in Gosport after police closed off the access road to Haslar Marina, after British rescue boats have been sent to collect the passengers of a migrant dinghy which has spent around 30 hours at sea. Picture date: Tuesday September 22, 2026. PA Photo. Photo credit should read: Trevor Adams/PA Wire | Trevor Adams/PA Wire

“If that doesn’t prove what people power can truly do, when people come out in numbers, I don’t know what does. I’m so so impressed with the local community.”

Simon Magorian, of Stand Up to Racism, said the protests in Gosport were far from peaceful given the arrests made and that they attracted people with links to Danny Tommo’s Patriot Platform and other extremist organisations.









“We want no more of this nonsense,” he added. “This is the third time in the last couple of weeks we have had people bussed down here to protest.

“These people claim to be there to defend women and children; however, the men they attract frequently have a record of violence against women. We have had enough. Portsmouth is a proud multicultural city, and we intend to keep it that way.”

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Crime

Residents “frightened” and barricaded themselves in homes during Gosport migrant protests

By Steve Deeks
Senior Reporter



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Disorder erupted during the protests

Residents were left “frightened” and barricaded themselves in their homes during disorder as protesters gathered to oppose migrants being brought ashore in Gosport on Sunday.



Over 100 illegal migrants aboard two RNLI lifeboats entered Portsmouth Harbour, arriving at Fort Blockhouse in Gosport, Hampshire on Sunday evening. Pictured just after midnight are dozens of police on Clayhall road in Gosport moving a large group of protesters before the buses leave Credit: pictureexclusive.com

The RNLI transferred 149 migrants to Fort Blockhouse after a boat had crossed the English Channel from Normandy, France. It is the first time that one of these boats has arrived in the town, after a previous crossing was diverted to Dover.

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It led to 12 people being arrested in connection with the protests, police previously confirmed.

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Councillor Lesley Meenaghan, a borough councillor for Harbourside and Town Ward, urged people “our heads cool” and “community safe” after disorder during protests which resulted in bins being set alight, officers assaulted and residents scared.

She said: “We understand the community is worried about the potential use of Fort Blockhouse as a dedicated landing place for illegal migrants. Caroline Dinenage MP, Police and Crime Commissioner for Hampshire & Isle of Wight Donna Jones Cllr Zoe Huggins BEM along with our colleagues are working hard explaining why Gosport is not the right fit for such landings. We are demanding answers from the Home Office to reassure our community that this is not the plan.

fencing was damaged, and residents were left hiding in their homes, frightened. This behaviour has consequences for our community cohesion.

“We have been contacted by local residents alarmed at what they witnessed. As councillors, our job is to represent you in a calm, professional manner. We are not here to inflame community tension, because that has real consequences for people in our community.



“My plea to you - there is a lot of misinformation out there. Please check and verify what you read and what you are told before sharing it.”



Over 100 illegal migrants aboard two RNLI lifeboats entered Portsmouth Harbour on Sunday evening just after 10pm, heading for Fort Blockhouse in Gosport, Hampshire where teams from the Home Office were there to welcome the migrants. They were then heading to board one of a number of buses waiting for them. Credit: pictureexclusive.com

It comes as MP Dame Caroline Dinenage urged protesters to go about their demonstrations peacefully.

She said: “Police are just trying to do what they can to keep people safe in the most difficult circumstances, and it’s unacceptable on every level.

“I absolutely understand the fury and the outrage of people in Gosport and beyond, who want to fight about what they see as our views being run roughshod over. What I would say is that it’s really important that, as much as you make your voices heard, you do so peacefully, because it impacts the lives of others.

“There was criminal damage to property, there were nails being put on the road to try and stop the coaches leaving - but they will impact other people’s cars. I fully support people’s right to protest and be furious about this - I’m furious about it myself - we just have to be mindful of the lives of other people who live in the community.”

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Gosport residents help clear up after anti-small boats protest causes damage

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Updated 5th Oct 2026, 16:42 BST



Gosport residents have been helping to clear up after last night's anti-small boats protest caused damage and hazards in the town, with 12 arrests already made.









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A clear-up operation has been taking place today in the wake of last night's anti-small boats protests during which nails and screws were thrown onto **Gosport**'s roads.

Members of the Haven Church in Gosport were among those out this morning, helping to clear up following last night's protest after a group of 149 migrants where brought to Fort Blockhouse after crossing the Channel.












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However the protest, which has already resulted in 12 arrests, also caused damage to the local area with items put on the roads in the Fort Road and Clayhall Road area in an attempt to block the coaches taking the group to Kent to undergo processing.

















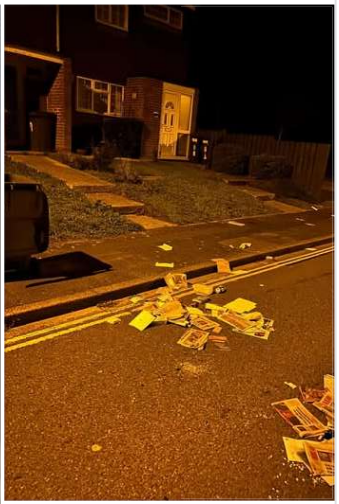
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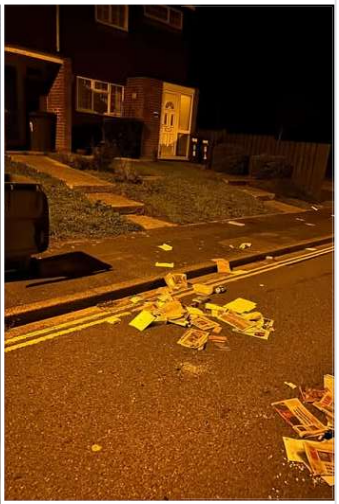
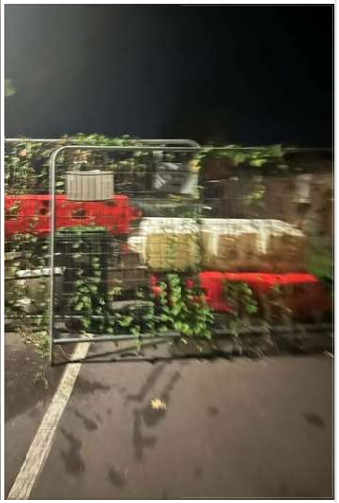


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116 144 19

Urging residents to take care today, the town's Reform **UK** party said it had reported some issues to **Gosport Borough Council** which will now also pick up the cleaning bill.

Its statement on social media said: "Nails and screws were reportedly thrown onto the roads during the protests, creating a potential hazard for motorists, cyclists and pedestrians. We are also aware that a number of residents' bins were taken from their gardens and used as barriers during the blockades."










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Meanwhile, the town’s MP **Caroline Dinenage** has said she has still not received any communication from the government despite contacting officials yesterday to find out what is happening when it became clear that the migrants may be brought to **Hampshire**.

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She is among those calling any migrants attempting the longer, more dangerous, route across the Channel should be taken by sea to the Dover processing centre

















instead of being brought ashore at Hampshire and then taken there by road.

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Gosport people 'absolutely right' to be angry about migrants landing, says MP Caroline Dinenage



By David George
Senior Reporter

Published 5th Oct 2026, 17:31 BST
Updated 5th Oct 2026, 19:33 BST

John Healey Budget announcements on defence

“Local people are feeling very angry on so many levels, and they are absolutely right to.”

Gosport MP Caroline Dinenage says people in the town are “absolutely right” to be angry about the ongoing migrant fiasco.

Late in the evening on Sunday, October 4, a boat reportedly carrying 149 migrants made landfall in Gosport, having crossed the English Channel from France. It is the first time that one of these boats has arrived in the town, after a previous crossing was diverted to Dover.

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Speaking to GB News earlier today (Monday, October 5), the Conservative MP confirmed she has contacted the Home Office on multiple occasions.

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A group of people thought to be migrants are brought in to a marina in Gosport, by the RNLI following a small boat incident in the Channel.

Ms Dinenage said: “I was given absolutely forewarning, and I have still not been contacted by the Home Office or the government in any capacity to alert me, offer any assistance or give me any information that I can share with my constituents to try and address this really unpleasant and difficult situation that we’ve seen unfold in Gosport.



The Tiny Garden Trend Sweeping The UK Right

“I cannot express how furious I am. Like local residents, I was beginning to pick up stories that there was another boat crossing the Channel in our neck of the woods yesterday (October 4) afternoon. I directly reached out to the Home Office minister, I’ve still not received a response.

“This comes in the wake of both myself, the leader of Gosport Borough Council, Cllr Zoe Huggins, and our police and crime commissioner Donna Jones all writing to the Home Secretary, expressing in the strongest possible terms that this is not a suitable location to land these boats. Gosport is a peninsula with inadequate transport links.

“Local people are feeling very angry on so many levels, and they are absolutely right to - they have been kept in the dark about what was happening. We’ve seen our own local resources , thousands of pounds worth of police resources, has had to go into managing the policing of this, against their will.”



The long-standing Gosport politician has written another letter to the Home Office today, calling for communication over the “gross mismanagement” of the migrant operation in the town.



Dame Caroline Dinenage MP has called for Hampshire police to be reimbursed following the migrant boat protest on Tuesday, September 22. | Office of Caroline Dinenage

Ms Dinenage added that residents were "left feeling vulnerable, some felt trapped in their houses - and some local roads barricaded by police". She asked the Home Office to reimburse the borough council for the clean-up costs, plus Hampshire and Isle of Wight Constabulary for policing costs, as well as why the vessel was not re-diverted to Dover as it was previously.

In her TV interview, Ms Dinenage was also asked about the dispersal order issued by Hampshire and Isle of Wight Constabulary, which gives police the power to move people on from the entire Gosport peninsula. The Conservative MP urged protesters to go about their demonstrations peacefully, after reports of criminal damage last night.

At the time of publication, 12 people have been arrested in connection with the protests, police have confirmed.

She said: “Police are just trying to do what they can to keep people safe in the most difficult circumstances, and it’s unacceptable on every level.

“I absolutely understand the fury and the outrage of people in Gosport and beyond, who want to fight about what they see as our views being run roughshod over. What I would say is that it’s really important that, as much as you make your voices heard, you do so peacefully, because it impacts the lives of others.

“There was criminal damage to property, there were nails being put on the road to try and stop the coaches leaving - but they will impact other people’s cars. I fully support people’s right to protest and be furious about this - I’m furious about it myself - we just have to be mindful of the lives of other people who live in the community .”

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Residents “frightened” and barricaded themselves in homes during Gosport migrant protests

By Steve Deeks
Senior Reporter

Published 9th Oct 2026, 10:17 BST



Over 100 illegal migrants aboard two RNLI lifeboats entered Portsmouth Harbour, arriving at Fort Blockhouse in Gosport, Hampshire on Sunday evening. Pictured just after midnight are dozens of police on Clayhall road in Gosport moving a large group of protesters before the buses leave Credit: pictureexclusive.com

The RNLI transferred 149 migrants to Fort Blockhouse after a boat had crossed the English Channel from Normandy, France. It is the first time that one of these boats has arrived in the town, after a previous crossing was diverted to Dover.

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Councillor Lesley Meenaghan, a borough councillor for Harbourside and Town Ward, urged people “our heads cool” and “community safe” after disorder during protests which resulted in bins being set alight, officers assaulted and residents scared.

She said: “We understand the community is worried about the potential use of Fort Blockhouse as a dedicated landing place for illegal migrants. Caroline Dinenage MP, Police and Crime Commissioner for Hampshire & Isle of Wight Donna Jones Cllr Zoe Huggins BEM along with our colleagues are working hard explaining why Gosport is not the right fit for such landings. We are demanding answers from the Home Office to reassure our community that this is not the plan.

“We have been contacted by local residents alarmed at what they witnessed. As councillors, our job is to represent you in a calm, professional manner. We are not here to inflame community tension, because that has real consequences for people in our community.

“My plea to you - there is a lot of misinformation out there. Please check and verify what you read and what you are told before sharing it.”



Over 100 illegal migrants aboard two RNLI lifeboats entered Portsmouth Harbour on Sunday evening just after 10pm, heading for Fort Blockhouse in Gosport, Hampshire where teams from the Home Office were there to welcome the migrants. They were then heading to board one of a number of buses waiting for them. Credit: pictureexclusive.com

It comes as MP Dame Caroline Dinenage urged protesters to go about their demonstrations peacefully.

She said: “Police are just trying to do what they can to keep people safe in the most difficult circumstances, and it’s unacceptable on every level.

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