



House of Commons
Home Affairs Committee

The Detention of Children in the Immigration System

First Report of Session 2009–10

Report, together with formal minutes

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The Home Affairs Committee

The Home Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Home Office and its associated public bodies.

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Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via www.parliament.uk

Publication

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at www.parliament.uk/homeaffairscom. A list of Reports of the Committee since Session 2005–06 is at the back of this volume.

Committee staff

The current staff of the Committee are Elizabeth Flood (Clerk), Eliot Barrass (Second Clerk), Elisabeth Bates (Committee Specialist), Sarah Petit (Committee Specialist), Darren Hackett (Senior Committee Assistant), Ameet Chudasama (Committee Assistant), Sheryl Dinsdale (Committee Assistant) and Jessica Bridges-Palmer (Select Committee Media Officer).

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Key Facts

- Nearly 1,000 children a year are detained in UKBA immigration detention centres.
- On average, children spend over a fortnight in detention (15.58 days). Detention for up to 61 days is not uncommon. On 30 June 2009, 10 of the 35 children in detention had been held for between 29 days and 61 days.
- It costs £130 a day to keep a person in detention; in the most extreme situations, detaining a family of four for between 4 and 8 weeks costs over £20,000.
- Over 90% of judicial reviews do not even get leave for hearing.

Report

1. The removal of those found to be living in the United Kingdom illegally must be a central tenet of any coherent immigration policy. Those who fail to leave voluntarily need to be apprehended and then deported. Deportation rarely happens immediately after apprehension so there is a subsequent need for some form of detention or monitoring as a prelude to the removal of those deemed to have no right to live in the United Kingdom. In August 2009, the Home Office produced the *Control of Immigration: Quarterly Statistical Summary, United Kingdom, April–June 2009*¹, which included quarterly figures on the number of people detained in UK Border Agency (UKBA) Detention Centres ahead of their deportation or voluntary removal. For the first time these data included specific information on the numbers of children detained with their families by the UK Border Agency in the past year. The figures revealed that in the period April–June 2009, there were 235 children under the age of 16 held in UKBA detention centres, the majority of whom were held at Yarl’s Wood Immigration Removal Centre, Bedfordshire.

2. These figures led us to undertake a short inquiry into the detention of children in the immigration system. We investigated why children were detained, how long they were detained for and the conditions at Yarl’s Wood Immigration Removal Centre. On 16 September 2009 we took oral evidence from Mr Ali Soyey of the Children’s Society and Ms Amanda Shah of the charity Bail for Immigration Detainees, Mr Dave Wood, Strategic Director of Criminology and Detention, UKBA, and Sir Al Aynsley-Green, the Children’s Commissioner for England. We also visited the Yarl’s Wood Centre on Thursday 15 October. We would like to thank everyone who has helped us during this inquiry.

Why and how many children are detained

3. This inquiry focuses on those children detained with their families at UKBA centres as a final step before their deportation. The vast majority of these families have applied for asylum and “have been judged by tribunals to have no right to remain in the United Kingdom”.² We were told that that while the risk of absconding is generally viewed as the rationale behind detention, “there is no evidence that families with children systematically disappear”.³ Instead, detention is a final step in an immigration process that often begins with an application for asylum; it is meant to be only a short-term measure—a matter of days—and longer-term detention is often a result of final appeals and judicial reviews.^{4 5}

1 <http://www.homeoffice.gov.uk/rds/pdfs09/immiq209.pdf>

2 HC 970-i, Q25

3 HC 970-i, Q1

4 HC 970-i, Q25

5 We have previously produced a Report into the issue of human trafficking (Sixth Report of Session 2008–09, HC 23) which partially addressed the problem of child trafficking—children smuggled into this country illegally, for the purposes of exploitation, often unaccompanied and often by criminal gangs. These children may be picked up by UKBA officials and detained, but “that would be normally for a short time of hours ... in exceptional cases overnight”, as a prelude to further action by social services. Such children are not the subject of this inquiry.

