

PREGNANT WOMEN BEHIND BARS

A BRIEFING ON THE DETENTION OF PREGNANT WOMEN IN THE UK

Yarl's Wood detention centre in Bedfordshire holds up to 400 women at any one time, most of whom have come to this country to seek safety from persecution.

Their detention is indefinite – they can be held for days, weeks, months, even a year. It is also unnecessary; asylum claims can be decided much more easily while people are living in the community. And being locked up is traumatic for individual women: high levels of depression and self-harm are recorded in Yarl's Wood.

In 2014, 99 women were locked up in Yarl's Wood while pregnant. Being locked up during pregnancy is particularly distressing. It has a significant impact on women, both emotionally and physically.

We believe that it is time to stop locking up women in Yarl's Wood, and we believe that the detention of pregnant women should end immediately.

This briefing is solely about the detention of pregnant women. For more information on conditions in Yarl's Wood and the case for ending all detention, please go to www.refugeewomen.co.uk

Q *Why are pregnant women locked up in detention? Isn't detention only used for women who have to be deported?*

Home Office policy says that immigration detention should be used for the purpose of removing people from the UK.

In practice, however, the detention of most women who are pregnant serves no purpose. **Of the 99 pregnant women detained in Yarl's Wood in 2014, just nine were actually deported.** That means that 90% were released to continue with their cases in the community.

The high release rate for pregnant women shows that locking them up is an ineffective practice, and it is also financially wasteful – it costs just under £40,000 a year to hold someone in detention. It is also very distressing for the women themselves.



Q According to the government, pregnant women are only detained in exceptional circumstances. Isn't this a reasonable approach to take?

Home Office policy says that pregnant women shouldn't normally be detained. The only exception to this rule is when removal is 'imminent' and medical advice doesn't suggest the woman concerned will go into labour before her removal date.

What happens in practice is quite different. As explained earlier, **90% of pregnant women detained in Yarl's Wood are not deported from the UK, but released to continue with their cases in the community** – so, it is clear that they are not being detained because their removal is 'imminent'.

In the most recent independent inspection report on Yarl's Wood, published in August 2015, the Prisons Inspectorate found that a large number of pregnant women had been held 'with little or no recorded evidence' of the exceptional circumstances needed to justify their detention. Previous inspections of Yarl's Wood, conducted in 2013 and 2011, also highlighted that pregnant women were often detained without any evidence of exceptional circumstances.

Of the 99 pregnant women detained during 2014, 30 – that is, just under a third – were held for between one and three months, and four were held for between three and six months.

Q The government says that when pregnant women are detained they have access to health and maternity services and are treated with dignity and respect. Isn't it at least reassuring that they are being looked after properly in detention?

Being locked up and deprived of your liberty is, in itself, stressful and upsetting, and the impact of detention on pregnant women can be particularly acute, even if conditions in a detention centre are reasonable.

The Royal College of Midwives has said: **'The detention of pregnant asylum seekers increases the likelihood of stress, which can risk the health of the unborn baby.'** In his review of the welfare of vulnerable people in immigration detention, commissioned by the Home Office and published in January 2016, the former Prisons and Probation Ombudsman Stephen Shaw explained: 'That detention has an incontrovertibly deleterious effect on the health of pregnant women and their unborn children ... I take to be a statement of the obvious.'

Alongside this, there are longstanding concerns about conditions in Yarl's Wood. **The Chief Inspector of Prisons has called it 'a place of national concern'**. Women for Refugee Women's research has found that women are routinely watched in intimate situations by male guards while detained: 85% of the women we spoke to for our 2015 report *I Am Human* told us that male guards had seen them while they were naked, on the toilet, in the shower or in bed.

Levels of depression and incidents of self-harm are high in Yarl's Wood. The Prisons Inspectorate report in 2015 found that more than half of women who were detained there felt depressed or suicidal when they first arrived, and that there had been 72 incidents of self-harm in the previous six months, a huge rise from the previous inspection.

There have also been allegations of sexual abuse. In 2014 Serco, the private company that runs Yarl's Wood, admitted to MPs on the Home Affairs Select Committee that over the past seven years it had dismissed 10 staff members as a result of sexual contact with women held there. While the recent Prisons Inspectorate report did not find evidence that abuse was endemic, it emphasised that instances of sexual assault and abuse remain 'an ever-present risk'.

Following an undercover investigation into Yarl's Wood by Channel 4 News in March 2015, which filmed staff members calling women held there 'animals' and 'beasties', the Home Office Minister Lord Bates said in the House of Lords: 'I watched that documentary on Channel 4, and quite frankly I was sickened.' Nevertheless, pregnant and other vulnerable women continue to be held there.

Healthcare in Yarl's Wood is also poor, and **the antenatal care and support provided to women held there falls far short of the care normally available to pregnant women**, exacerbating the trauma of being locked up in the first place. Research by the charity Medical Justice has found that pregnant women in Yarl's Wood often miss antenatal appointments; that some women have no ultrasound scans during their period of detention; and that women do not have direct access to a midwife and cannot request visits.

Following the 2015 inspection of Yarl's Wood, the Care Quality Commission (the independent regulator of health and adult social care in England) issued three 'requirement to improve' notices to the private company G4S, the provider of healthcare services there. One of these notices highlighted that 'the antenatal care pathway was not being consistently followed by staff to ensure care and treatment was informed by specialist advice.'

This posed a risk that women displaying symptoms of the complications of early pregnancy would not receive safe care and treatment.'

Many women have spoken to us about a culture of disbelief among healthcare staff in detention, so that when women ask for medical advice or support it is often assumed they are exaggerating or lying as a way of strengthening their case. Women have also told us how, when they are taken to hospital appointments, male guards sometimes stay with them for the duration of their appointment.

One pregnant woman who was kept in hospital for three days told us: 'I had three men guarding me. Even when the gynaecologist was doing an examination on me there were male guards in the room watching me. When I went to the toilet they were the ones who took me. When I sat down on the toilet the male guards were there. It made me feel ashamed.'

Q *If the government said they were going to stop detaining pregnant women, wouldn't women lie and say they were pregnant – or get pregnant deliberately – just to avoid detention? And wouldn't women abscond if they weren't detained?*

Establishing if a woman is pregnant or not is very straightforward: she simply needs to take a pregnancy test! The idea that women would get pregnant as a way of avoiding detention is unfounded and based on sexist stereotypes about women and the way they behave.

There is no evidence to support the idea that ending the detention of pregnant women would mean a rise in absconding. In 2010, the detention of children at Yarl's Wood was brought to an end; a new returns process for families who have been refused asylum, which makes minimal use of detention, was introduced. The Home Office's own evaluation found that there has been no rise in absconding among families as a result.

There is also good international evidence that shows that community-based 'alternatives to detention' support high levels of compliance with immigration processes and higher rates of voluntary return for those whose cases are ultimately refused. They are also much cheaper.

Q *So, how could the government end the detention of pregnant women? Would a new law be needed?*

Ending the detention of pregnant women would be straightforward. Home Office guidance, which currently sets out that pregnant women should

only be detained in very exceptional circumstances, simply needs to be amended slightly to say that women who are pregnant should never be detained. **There is no need for new legislation.**

Stephen Shaw's review of the welfare of vulnerable people in immigration detention, commissioned by the Home Office, recommended that this change should be made. **There is also support for such a change across the political spectrum.** The recent Parliamentary inquiry into the use of immigration detention in the UK, which included Parliamentarians from across the political parties on its panel, included the recommendation that 'pregnant women are never detained for immigration purposes'. In September 2015, the House of Commons passed a motion endorsing the inquiry's recommendations.

**It is time to make this change.
It's time to end the detention
of pregnant women.**

WHAT CAN I DO?

Following a recent legal challenge where it was found that a pregnant asylum seeker from the Democratic Republic of Congo had been unlawfully detained, the Home Office has promised to review its policy on the detention of pregnant women.

This is a real opportunity to change the current situation, and **writing or speaking to your MP about pregnant women in detention is a great way for you to help with this.** Ask your MP what they are doing to try to ensure that vulnerable women are no longer locked up in immigration detention.

You can also **engage directly with the Home Secretary, Theresa May, or the Immigration Minister, James Brokenshire.** You can ask them to review the current policy and ensure that pregnant women are no longer detained.

If you need any help finding contact details for your MP or for the Home Secretary or Immigration Minister, or deciding what to say to them, just drop us a line at admin@refugeewomen.co.uk and we can support you with template letters and addresses.

Women for Refugee Women, Tindlemanor,
52-54 Featherstone St, London EC1Y 8RT
admin@refugeewomen.co.uk | +44 (0) 20 7250 1239
www.refugeewomen.co.uk | Charity No: 1121174

Priya's story

Priya was trafficked to the UK and forced into prostitution. She has been detained in Yarl's Wood twice; the second time she was locked up, she was 20 weeks pregnant, and was held in Yarl's Wood for seven weeks before being released back into the community.

I've just been released from my second time in detention in Yarl's Wood. The first time I was detained was after a prison sentence: I was trafficked to the UK and the people who brought me here made false papers for me, but I felt so frightened of their threats that I lied to the police and pleaded guilty when my case came to court.

I was released after three months in detention, and fell pregnant by my partner, but then I was detained again. Although I had a written report from an expert, the Home Office did not believe that I was trafficked, so my claim was refused and I found myself back in detention. This time around I was in Yarl's Wood for about seven weeks, and I was 20 weeks pregnant when I arrived.

I only had one hospital appointment while I was there, for my 20 week scan, and even then I was escorted by officers who took me 40 minutes late for my appointment. I felt frustrated that I wasn't able to speak to the midwife after my scan because there was no time. The officers just took me straight back to Yarl's Wood instead.

It was not easy. I often felt weak and in pain; I'm anaemic and my blood pressure is very low. On one occasion I passed out in Yarl's Wood, but they just took me back to my room and left me there. I also had problems passing urine, but Yarl's Wood wouldn't make me another hospital appointment, even though I requested one.

Many of the women there were anxious about tuberculosis, too – we were all aware that some of the other women detained there had had it – and I was especially worried because of my pregnancy. My roommate had TB symptoms but was still waiting for an appointment to test for it when they deported her, and they wouldn't screen the rest of us even though some of us asked them to.

The first time I was detained in Yarl's Wood, I was on medication for sleeping and depression, and I took an overdose because I felt so hopeless. I stopped the medication when I got pregnant, but there was no psychological support for me in Yarl's Wood. One nurse was going to do a mental health assessment, but when she spoke to me it felt like she didn't really believe me, so I asked if I could be assessed by someone else. This was refused. Instead, I was given new medication but had to stop taking it because it made me sick. I reported this but they didn't give me a follow-up appointment.

I couldn't eat the food in the canteen; that made me sick too. A lot of the time I could only really manage milk. It was too far for my partner to visit and, as an asylum seeker as well, he couldn't afford the travel, but we spoke on the phone every day. I've been released now but I still feel depressed, like everything is over. I don't understand why I was treated like that.

