



Press release - 20 July 2018 - for immediate release

New research from Bail for Immigration Detainees (BiD) finds that vulnerable adults are not being protected from detention

Research published today by Bail for Immigration Detainees (BiD), “Adults at Risk: the ongoing struggle for vulnerable adults in detention”, reveals the utter failure of the Home Office’s Adults at Risk (AAR) policy. The AAR policy was introduced by the Home Office in September 2016 in response to the many failings identified by Stephen Shaw’s initial review of the welfare of vulnerable people in detention.

BiD’s research found serious problems with both the design and the implementation of the AAR policy. Vulnerable adults, such as victims of torture and people with serious mental illness, are detained too often, and for too long. The findings expose failures at every stage of the implementation of the AAR policy which was designed to safeguard vulnerable adults.

Reports from medical practitioners under “Rule 35” designed to draw to the Home Office’s attention concern that an individual is unsuitable for detention, are routinely ignored. These findings are confirmed by official Home Office data which show that releases following receipt of such reports have sharply declined since the introduction of the policy.

BiD analysed 30 case files for vulnerable detainees held under immigration powers in both Immigration Removal Centres (IRCs) and prisons. Detainees held in IRCs were held for an average of 286 days, with not one person in the study released as a result of the AAR policy. BiD’s analysis uncovered a variety of reasons for this. We found that vulnerable adults were not being identified before detention by the gatekeeper nor through initial medical screenings. The monthly review of detention by the Home Office too often failed to identify and consider vulnerabilities once detention had begun. Detainees in the IRC sample spent an average of 158 days in detention before a rule 35 was submitted, a trigger for the Home Office to assess under its AAR policy. Once a report was submitted, in every case the Home Office accepted that the detainee was vulnerable, but chose to maintain detention.

Although the AAR policy in theory applies to detainees held in prisons under immigration powers as well as IRCs, there is no rule 35 process or equivalent mechanism. BiD’s research found that in practice, this means that seriously vulnerable adults in prisons are not recognised as such by the Home Office. In 6 out of 7 cases of detainees held in prisons Home Office decision-makers failed to apply the AAR policy, despite there being independent evidence of an indicator of risk and evidence that detention was having an injurious impact on the detainee’s health.

Celia Clarke, BiD’s director said: “Behind every statistic here is a person who should be protected from harm and yet is subjected to further trauma in the most callous of ways. Although we are not



surprised by our findings, the government's absolute disregard for people's welfare in these cases is chilling."

Shaw has conducted a follow up review to his initial review, which was handed to the government in April 2018. The government is expected to release the review publicly before the summer recess.

For further information, contact Celia Clarke (BiD) at celia@biduk.org , direct line 0207 456 9751

Notes for editors

1. The full research report is available on BiD's [website](#).
2. Bail for Immigration Detainees is an independent charity established in 1999 to challenge immigration detention in the UK. We assist detained asylum seekers and migrants in removal centres and prisons to secure release from detention through the provision of free legal advice, information and representation. We also provide free legal advice and representation to detainees on deportation.
3. While detention exists, BiD aims to challenge long-term detention and to improve access to justice for immigration detainees. We seek an immediate end to the separation of families for immigration purposes and of the detention of vulnerable people.
4. BiD believes that asylum seekers and migrants in the UK have a right to liberty and access to justice. They should not be subjected to immigration detention.

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