

# ILPA information sheet

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## Detention of Children

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This information sheet provides information about children in immigration detention. All references in this information sheet to detention refer to detention in immigration facilities (that is immigration removal centres and short-term holding facilities) under immigration act powers.

It provides information about the numbers and ages of children in detention and length of detention, the reasons why children are in detention, the effect of detention upon children and ongoing work to end the detention of children. Further information may be obtained from the Bail for Immigration Detainees (BID) briefing paper at:

[www.biduk.org/library/BIDbriefingonchildrenandimmigrationdetentionFeb2009FINAL.pdf](http://www.biduk.org/library/BIDbriefingonchildrenandimmigrationdetentionFeb2009FINAL.pdf) [don't

### **Numbers and ages of children in detention and length of detention**

The number of children who are held in detention each year is not known. Estimates have suggested that around 2,000 children are detained each year (e.g. Save the Children: *No place for a child*, Crawley & Lester, 2005). Children of all ages are detained. Currently, Home Office statistics provide snapshot information. This means that every three months when the immigration statistics are published a number is given which shows how many children were detained on one particular day – the day the snapshot is taken. This information is inadequate. Any child who is detained in the three months in between each snapshot will not be counted – unless he or she is still in detention on the day the snapshot is taken. Very many detained children are not, therefore, included in the statistics.

The snapshot information indicates how long the children have been detained as at the date the snapshot is taken. This is also inadequate. For example, any child who is released from detention in the three months before the next snapshot is taken would not be included in that further snapshot. If he or she continued to be detained after the first snapshot, the statistics provide no information as to the full length of detention of that child. The last snapshot showed that some children had been detained for more than two months. However, in January 2009, the Government, in responding to a Parliamentary Question, acknowledged that in each of the years 2004 to 2007, children had been detained for in excess of 100 days. At the time, the information available for 2008 was incomplete. The longest period of detention by a child was given as 190 days.

On 16 June 2009, Phil Woolas MP, Minister for Borders and Immigration, gave commitments that these inadequacies in the statistics would be put right by the time the next quarterly statistics are published. This is due this month. The Minister's commitments were given during the Committee stage debate on the Borders, Citizenship and Immigration Bill (see *Hansard* HC, Committee, 16

June 2009 : Columns 197-199). However, even with the intended changes, it is likely that many children in detention will still not be counted. Children, whose age is disputed (see below), may be held in detention but not counted as children. Sometimes British children, whose non-British parents are being removed from the UK, are in detention with their parents. These children are not counted because, in law, they are not detained but accommodated with their parent who is detained.

### **Reasons why children are in detention**

Most children in detention are there with one or both parents. Children are often detained at the point at which the UK Border Agency decides to remove the family.

Some children are in detention on their own (i.e. without any parent or other family member). Most of these children are in detention because the UK Border Agency does not accept that they are children (their age is disputed) or has not yet asked what age they are. Children whose age is disputed may be detained because the UK Border Agency has decided to remove them or because the UK Border Agency has decided to detain them while considering whether they should be granted asylum in the UK.

### **The effect of detention upon children**

It is widely accepted that detention harms children's health and well-being. The degree of harm, and how long the harm lasts, may depend on various factors including the length of detention and the circumstances of the individual child.

The Children's Commissioner for England visited Yarl's Wood in 2008. Yarl's Wood is the immigration removal centre at which most detained families are held. His report highlights the damage to children's physical and mental health which detention has caused. The Children's Commissioner's report is available at:

[http://www.11million.org.uk/content/publications/content\\_361](http://www.11million.org.uk/content/publications/content_361)

### **Work to end the detention of children**

ILPA and many other organisations, especially members of the Refugee Children's Consortium, have long worked and continue to work to end the detention of children. If you would like to get involved in work to end the detention of children or wish for further information, you may want to start with information at some of the following links.

The Children's Society and Bail for Immigration Detainees (BID) are currently running a campaign to end the detention of children. Their campaign is called 'OutCry!'. Information about the campaign, and how to sign up as a supporter, is available at:

[http://www.childrenssociety.org.uk/all\\_about\\_us/how\\_we\\_do\\_it/campaigning2/15011.html](http://www.childrenssociety.org.uk/all_about_us/how_we_do_it/campaigning2/15011.html)

See also the information from Medical Justice about children in detention, which is available at:

<http://www.medicaljustice.org.uk/content/blogsection/26/113/>

The New Statesman last year ran a campaign to end the detention of children called 'No place for children'. More information is available at:

<http://www.newstatesman.com/subjects/no-place-for-children>

The UK Border Agency has committed itself to look for alternatives to the detention of families. It ran a pilot in Kent in 2008, and has recently initiated a new pilot in Glasgow. The UK Border Agency's evaluation of its first pilot, a report by The Children's Society and BID on this pilot and the UK Border Agency's response to the report (with information on the new pilot) are available at:

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/aboutus/reports/alternative-to-detention/>

[http://www.childrenssociety.org.uk/whats\\_happening/media\\_office/latest\\_news/17137\\_pr.html](http://www.childrenssociety.org.uk/whats_happening/media_office/latest_news/17137_pr.html)

<http://www.bia.homeoffice.gov.uk/sitecontent/newsarticles/a2d-kent-response?area=allNews>