



# BRIEFING

## Immigration Detention in the UK

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This briefing provides an overview of immigration detention in the UK. It discusses the size of the UK's detention facilities, the number of detainees, the average duration of detention, and the detention of children.

## Key Points

The UK immigration detention estate is one of the largest in Europe. From 2009 until the end of 2011, between 2,000 and 3,000 migrants have been in detention at any given time.

Around 27,000 persons entered detention in 2011 compared to approximately 28,000 persons in 2009 and 26,000 persons in 2010.

Over half of total immigration detainees are held for less than two months.

The most common category of immigration detainees is people who have sought asylum in the UK (at some point).

In 2009, over 1,000 children were detained with their families for the purpose of immigration control. In 2010, this number declined to just over 400, most of whom had claimed asylum at some point, and further to about 100 in 2011.

In 2010, the average daily overall cost of one bed per day in the immigration detention estate was estimated at about £120.

## Understanding the evidence

Immigration detention refers to the government practice of detaining asylum seekers and other migrants for administrative purposes, typically to resolve their immigration claims, facilitate their removals, or establish their identities.

The reasons for which a migrant may be held in detention include: to effect removal; to establish a person's identity or basis of claim; where there is reason to believe that the person will fail to comply with any conditions attached to the grant of temporary admission or release, i.e. a risk of absconding; where there is a risk of harm to the migrant or the public; and as part of the detained fast-track (DFT) system (whereby asylum seekers could be detained if their claims appeared straightforward and capable of being decided quickly).

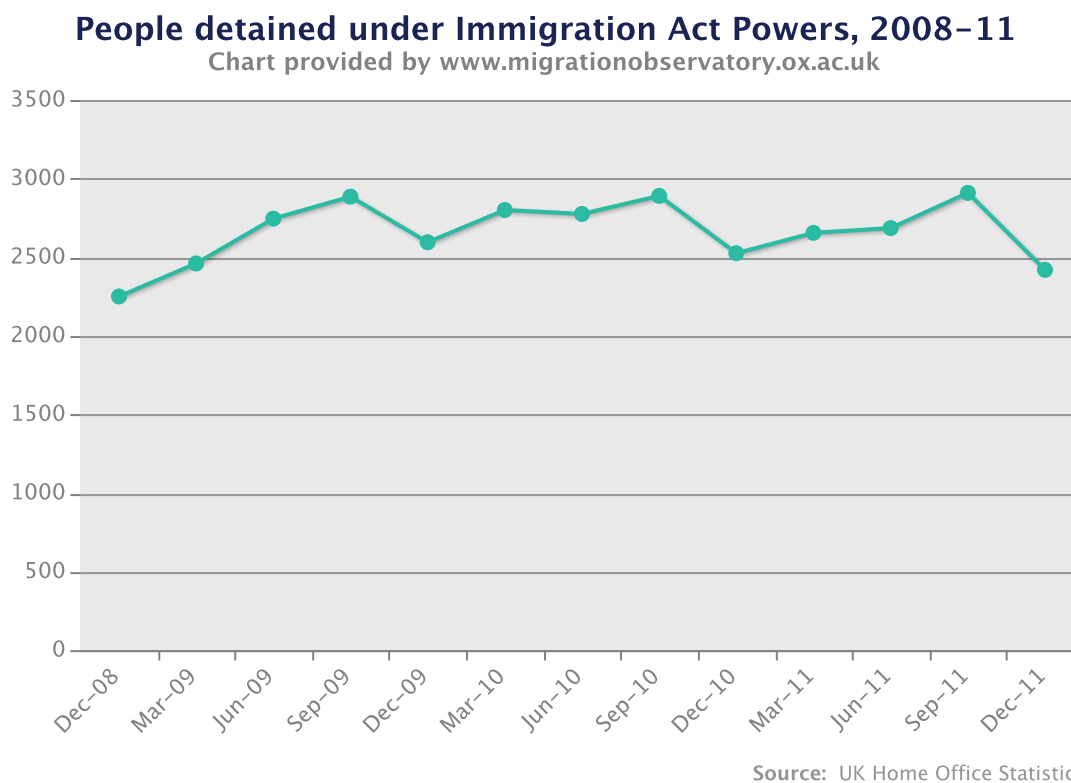
Border officials in the UK may detain migrants: on arrival; upon presentation to an immigration office within the country; during a check-in with immigration officials; once a decision to remove has been issued; and after a prison sentence or following arrest by a police officer.

The publicly available data on immigration detention chiefly originate in publications released by the Home Office and Her Majesty's Inspectorate of Prisons (HMIP). Data and information from non-governmental organisations' reports, Hansard texts of Parliamentary debates and formal questions and scholarly articles supplement this information.

## The UK's immigration detention facilities are among the largest in Europe: between 2,000 and 3,000 migrants are detained at any given time

The UK has one of the largest networks of immigration detention facilities in Europe. After the re-purposing of the Morton Hall prison as an immigration removal centre (IRC) in June 2011, UK detention capacity expanded to approximately 3,500 places. As shown in Figure 1, over the past three years there have been between 2,000 and 3,000 migrants detained at any given time. As a snapshot example, 2,419 non-citizens were detained in UK facilities as of 31 December 2011.

Figure 1



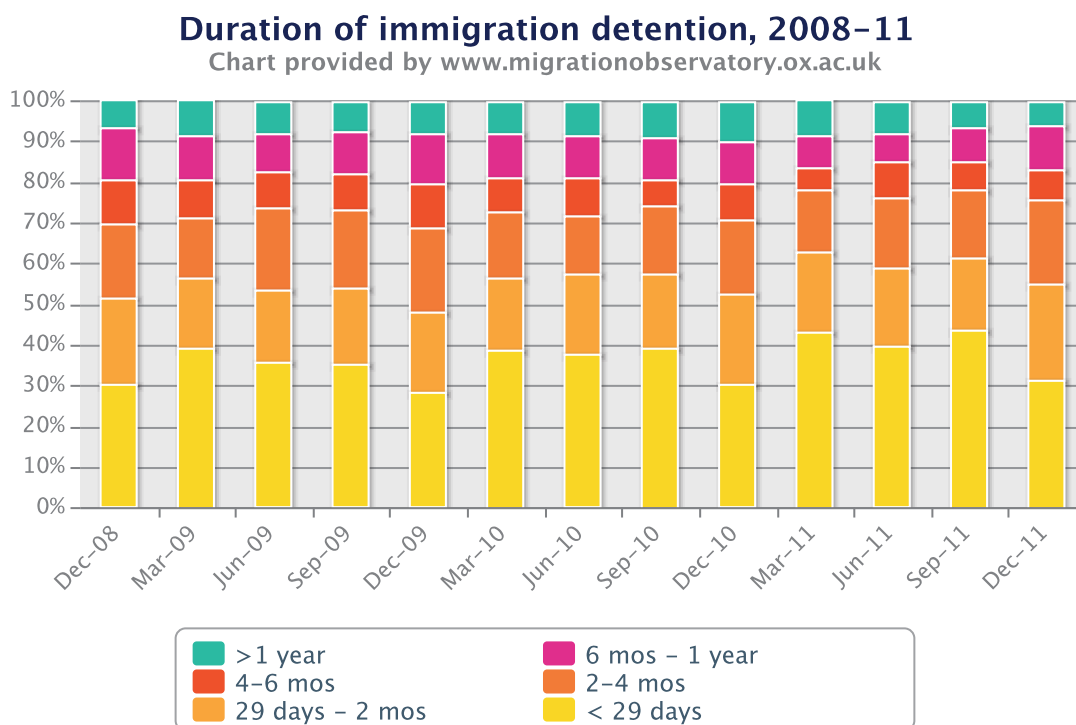
## Just under 30,000 migrants are detained in the UK every year

Approximately 28,000 migrants entered detention under Immigration Act powers in 2009, 26,000 in 2010, and 27,000 in 2011 (UK Home Office 2010, 2011). These statistics do not include persons detained in police cells, Prison Service establishments, short term holding rooms at ports and airports (for less than 24 hours) and those detained under both criminal and immigration powers and their dependants. The majority of immigration detainees are held in UK Border Agency (UKBA) Immigration Removal Centres (IRC), as well as Short Term Holding Facilities (STHF) that are located inside or near airport terminals. As of February 2012, there were approximately 10 IRCs, 3 residential STHFs, 14 non-residential STHFs, and 12 combined non-residential STHFs/reporting centres. Except for 3 IRCs that are managed by HM Prison Service, the Home Office has outsourced the management of its detention facilities to private firms like MITIE, GEO Group, G4S, and Serco. The contract for managing STHFs was transferred from G4S to Reliance in 2011. Immigration detainees are also held in Prison Service establishments.

## Over half of immigration detainees are held for less than two months

In the fourth quarter of 2008, the Home Office began to publish snapshots of how long immigration detainees are held in IRCs and STHFs. In 2011, about 60% of total immigration detainees were held for less than two months (Figure 2). It is also not uncommon for detention to span two to six months. A small but consistent minority of detainees – fewer than 10% – are held for more than one year.

Figure 2



Source: UK Home Office statistics

**The most common category of immigration detention is people who have sought asylum in the UK at some point in their immigration adjudication processes**

There are numerous categories of people who are detained under Immigration Act powers, and these categories can overlap. For example, new arrivals may be detained awaiting examination by an immigration officer to determine their right to entry; new arrivals who have been refused permission to enter the UK and are awaiting removal may also be detained; those who have either failed to leave the UK on expiry of their visas (so-called overstayers), have not complied with the terms of their visas, or have attained their visas by deception, may be detained; and undocumented persons found in the UK can be detained pending a decision on whether they are to be removed or pending arrangements for their removal.

The largest category of immigration detainees is persons who have sought asylum at some stage of their immigration processes. In 2011, asylum detainees accounted for over 50% of the total immigration detainee population (UK Home Office 2011). The Government’s announcement in 2005 to process 30% of new asylum applicants through the detained fast-track (DFT) system has contributed to the high numbers of asylum seekers in detention.

The immigration detainee population also includes foreign national prisoners (FNPs), some of whom apply for asylum while in prison. Since April 2006, the UK Government has prioritised the removal of FNPs. As of 1 August 2008, with the introduction of the UK Borders Act 2007, all FNPs who have been sentenced to a period of imprisonment of 12 months or more are subject to automatic deportation from the UK unless they fall within one of the Act’s six exceptions. Prior to removal, FNPs who do not qualify for the exceptions remain in prison under immigration powers and are not counted in official detention estate statistics. On an average, more than 5000 FNPs have been deported annually since the introduction of automatic deportation provision. In February 2010, foreign national prisoners were detained for an average of 143 days; by January 2011 this had increased to 190 days, an increase of 33 per cent. As of January 2011, there were 907 FNPs detained in IRCs and 760 detained in prisons (Vine 2011).

The Migration Observatory policy primer 'Immigration Detention: Policy Challenges' provides more context, explanation and analysis of FNPs and asylum seekers in UK immigration detention.

### **The detention of family groups with children reduced further in 2011**

Throughout the 1990s, the Home Office rarely detained families with children. However, non-governmental organizations and other groups estimate the number of children detained with their families to have been up to 2,000 per annum between 2005 and 2009 (Crawley and Lester 2005, 11 Million 2009, Sankey et al. 2010). In 2009, the House of Commons Home Affairs Committee estimated that 1,000 children were detained with their families in UK facilities, and Home Office statistics suggest that just over 400 children officially entered detention in 2010 (Home Office 2011, House of Commons Home Affairs Committee 2009) and 100 children officially entered immigration detention in 2011 (UK Home Office 2011).

To deal with family cases without detention of children, on 1 March 2011 the government announced a new family returns process, having closed the family unit at Yarl's Wood IRC in December 2010. The new process includes: a Family Returns Panel to consider child welfare issues in families who refuse to leave; a family conference to discuss future options and the specific option of assisted return; the opening of Cedars pre-departure accommodation facility at the Pease Pottage village near Crawley in September 2011; and the expansion and refurbishment of Tinsley House IRC at London Gatwick airport. Both Cedars and Tinsley House hold families for up to 72 hours and require a ministerial declaration for extending a family's stay up to a week in exceptional cases.

### **The financial costs of immigration detention**

The Home Office generally does not publish figures on the financial costs of immigration detention. In answer to a 2007 request made under the Freedom of Information Act, the Home Office revealed that in 2005/6 the weekly cost per detainee ranged from £511 (Lindholme IRC) to £1,344 (Colnbrook IRC). The cost of detaining someone in the DFT system in the now-closed Oakington IRC cost £1,620 per week (ICAR 2007).

On 4 February 2010, the UK Government reported in Parliament that the average overall cost of one bed per day in the immigration detention estate is £120 (included in these estimates are the costs incurred by incidents such as fires in IRCs and legal fees) (Hansard 2010). This enables us to estimate the annual costs of particular IRCs. For example, since we know that Campsfield House IRC usually operates at 90% capacity with 194 (of a possible 216) migrants detained there, we can estimate that this particular IRC costs approximately £8,497,200 per year to run.

### **Evidence gaps and limitations**

It is important to recognise that any one source can be misleading in the presentation of data on immigration detention in the UK. For some time now, academics, journalists and activists have been requesting further information and clarification on the nature of the statistics on immigration detention released from the Home Office and the Office of National Statistics. The Home Office took steps to improve its dissemination of statistics in 2011. However, gaps and limitations in the data still persist. For example, information on the ethnic origins of the detainees is often difficult to determine. It is also difficult to track individual trajectories of detention, release and re-detention through the statistics because they are presented as separate numbers of occurrences. Additionally, it is often the case that the only means to identify FNPs in prison is by looking through individual charts. Such evidence gaps and limitations are important in discussions about how to access immigration detainees and provide them with services such as translation and visits.

## References

- Crawley, H. (2011). "Detention by another name?" Migration Pulse, Migrants Rights Network, London, updated March 21 2011.
- Her Majesty's Chief Inspectorate of Prisons. "Index of Immigration Removal Centre Inspections." Inspectorate Reports, HMI Prisons, London, 2011.
- Home Office. "Children entering detention held solely under Immigration Act powers." Home Office, London, 2012.
- Home Office. "Control of Immigration Statistics: United Kingdom 2009." Statistical Bulletin, Home Office, London 2010.
- Home Office. "Control of Immigration: Quarterly Statistical Summary, United Kingdom Quarter 4 2010 (October-December)." Statistical Bulletin, Home Office, 2011.
- Home Office. "Immigration Statistics July-September 2011." Home Office, London, 2011.
- Home Office. "Tables – Immigration Statistics April-June 2011." Home Office, London, 2011.
- Home Office. "Immigration Statistics October – December 2011." Home Office, London, 2012.
- Home Office. "Control of Immigration: Quarterly statistical summary first quarter 2011." Home Office, London, 2011.
- The Information Centre about Asylum and Refugees in the UK. "Detention of Asylum Seekers in the UK." Thematic Briefing prepared for the Independent Asylum Commission, ICAR, Runnymede Trust, London, 2007:25.
- Hansard. "Detention of Children (UK Border Agency)." House of Commons Hansard debates for 14 December 2009 (pt 0001), House of Commons, London, 2009.
- Hansard. "Immigration: Detention Centres Questions by Baroness Warsi." Lord Hansard text for 4 February 2010 (pt 0002), House of Commons, London, 2010.
- Home Office. "User Guide to Home Office immigration Statistics." Home Office, London, 2011.
- House of Commons Home Affairs Committee. "The Detention of Children in the Immigration System." First Report of Session 2009 – 2010, Vol. HC 73, House of Commons, London, 2009:14.
- Sankey, I., S. Farthing, and A. Coles. "Liberty's Submission to the Review into Ending the Detention of Children for Immigration Purposes." Liberty, London, 2010.
- Vine, J. "A Thematic Inspection of How the UK Border Agency Manages Foreign National Prisoners." UK Border Agency (pp. 3, pp. 19), London, 2011.
- UK Border Agency, "Enforcement Instructions and Guidance, Chapter 45 – Family cases." Home Office, London, updated 25 April 2012.

## Related Material

- Migration Observatory policy primer: Immigration Detention: Policy Challenges

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## The Migration Observatory

Based at the Centre on Migration, Policy and Society (COMPAS) at the University of Oxford, the Migration Observatory provides independent, authoritative, evidence-based analysis of data on migration and migrants in the UK, to inform media, public and policy debates, and to generate high quality research on international migration and public policy issues. The Observatory's analysis involves experts from a wide range of disciplines and departments at the University of Oxford.



## COMPAS

The Migration Observatory is based at the ESRC Centre on Migration, Policy and Society (COMPAS) at the University of Oxford. The mission of COMPAS is to conduct high quality research in order to develop theory and knowledge, inform policy-making and public debate, and engage users of research within the field of migration.

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