



**Dawn raids**

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## PAFRAS Briefing Papers

PAFRAS (Positive Action for Refugees and Asylum Seekers) is an independent organisation based in Leeds. By working directly with asylum seekers and refugees it has consistently adapted to best meet and respond to the needs of some of the most marginalised people in society. Consequently, recognising the growing severity of destitution policies, in 2005 PAFRAS opened a 'drop-in' providing food parcels, hot meals, clothes, and toiletries. Simultaneously experienced case workers offer one-to-one support and give free information and assistance; primarily to destitute asylum seekers. PAFRAS works to promote social justice through a combination of direct assistance, individual case work, and research based interventions and analysis.

Below an underclass, destitute asylum seekers exist not even on the periphery of society; denied access to the world around them and forced into a life of penury. To be a destitute asylum seeker is to live a life of indefinite limbo that is largely invisible, and often ignored. It is also a life of fear; fear of detention, exploitation, and deportation.

It is from the experiences of those who are forced into destitution that PAFRAS briefing papers are drawn. All of the individual cases referred to stem from interviews or conversations with people who use the PAFRAS drop-in, and are used with their consent. As such, insight is offered into a corner of society that exists beyond the reach of mainstream provision. Drawing from these perspectives, PAFRAS briefing papers provide concise analyses of key policies and concerns relating to those who are rendered destitute through the asylum process. In doing so, the human impacts of destitution policies are emphasised.

### Dawn raids

The fourth of these briefing papers focuses on the use of 'dawn raids', or to use the Home Office terminology 'enforcement visits',<sup>1</sup> in order to facilitate the removal of asylum seekers. In doing so it does not look at, for example, the use of raids on places of employment with regard to those who are working without papers. Nor does it look at the practice of taking children from schools. Rather, it focuses solely on raids conducted in order to take people from their homes. Data on the number of raids carried out, and their effect on people is sparse. Many of those who are subjected to such

<sup>1</sup> Home Office (2006) 'Section E', *Operational Enforcement Manuel*, London: Home Office.

actions are forcibly removed from the country and, as such, have little opportunity to recount their experiences. Moreover, even those who are not removed may be unwilling to speak out about incidents. The precarious position occupied by those who have been subjected to such activities, the fear that is instilled, and unwillingness to relive extremely traumatic events constructs a veritable wall of silence. Some people, however, do speak out, and demand that their stories need to be heard.

What follows utilises interviews conducted with people who have been subjected to dawn raids and focuses on the policy context within which such activities take place. Primarily, it looks at the harm that raids have upon people; but by doing so it further draws attention to a series of concerns regarding mechanisms of accountability.

### Enforcement policies

*Between 4.30 and 5.00am [she] heard a bang on her door and people shouting for her to open. She went to her window and saw a police car, and five officers waiting. When she let them in they asked her who she was and when she told them they said that they were there to arrest her. They came inside and closed the door. She could only pack a few belongings and then they took her away...<sup>2</sup>*

The above quote is taken from the partner of a woman from Cameroon, taken along with their child in February 2008. She is one of an increasing number of people subjected to 'dawn raids' that have emerged as a central facet of asylum policy. We do not know how many people have been raided in this way. The government does not produce statistics available to the public. Yet evidence suggests that dawn raids are carried out at rapid pace. Records of the number of dawn raids have only been made available since April 2005, but in the House of Commons in 2007 Liam Byrne – Minister of State for Borders and Immigration – explained that 8,100 'enforcement operations' were carried out before 8.00am in 2006.<sup>3</sup> On average, that is roughly 22 dawn raids a day.

Dawn raids are carried out explicitly for the purposes of detention and removal.<sup>4</sup> Yet of the 8,100 conducted only 2,009 led to arrests.<sup>5</sup>

<sup>2</sup> PAFRAS (2008) *Newsletter 6: January-February*, Leeds: PAFRAS, p. 2.

<sup>3</sup> Byrne, L. (2007) *House of Commons Written Answers*, 21 February, London: HMSO, Column 796W.

<sup>4</sup> Ibid.

A 'success' rate that equates to roughly one out of every four suggests that they are, from one perspective, an ineffective way of meeting government targets of 'removing more failed asylum seekers than new anticipated unfounded applications'.<sup>6</sup> Yet it is exactly these targets that continue to justify their use. Ensuring the former figure is higher than the latter is described as 'public performance' and, according to Liz Fekete ensures that '[i]n the process, the fact that those who seek refuge...are human beings, not mere statistics, is lost'.<sup>7</sup>

In such a framework, dawn raids represent one of the most brutal tools available to the Home Office used in order to meet their own visions of an effective immigration service. Such a low proportion of dawn raids leading to arrests indicate the possibility that they may be carried out speculatively, with a hope rather than expectation of finding someone who may be arrested. 'Fishing' expeditions are prohibited; and an undertaking has been given to Parliament that 'speculative visits' will not be carried out. Yet according to one individual – a female PAFRAS volunteer – who was taken in a dawn raid:

*When the officers came I showed them a letter explaining that I had an appeal ongoing, but they took me anyway... days later when I was released I spoke to the women who I live with and they said that after they took me, the officers came back, and checked their identities and documents.*<sup>8</sup>

Moreover, concerns have been noted previously that attempts may have been made to remove as many people of certain nationalities as possible of before Courts ruled that removing them to their country of origin would be unlawful.<sup>9</sup>

12,525 asylum seekers were removed in 2007; a number that, taken together with the removal of non asylum seekers, amounted to a deportation every 8 seconds. In stark contrast to the unwillingness to produce information about the number and nature of dawn raids, deportation

statistics are published enthusiastically. They are a message, according to the Home Office, that 'strong controls are working'.<sup>10</sup>

## **Brutality and fear: the human costs of dawn raids**

Dawn raids – as their informal name suggests – are carried out early in the morning; a time where people are most likely to be at home, asleep, and disorientated. According to Liam Byrne they are conducted at this time in 'the interests of health and safety and to help minimise disruption'.<sup>11</sup> The experiences of those at the receiving end however, suggest that this is disingenuous. According to the following individual:

*My housing provider wouldn't let me lock my door. They said it had to be unlocked for the purposes of fire regulations so I used to put a small fridge in front of my door for privacy. At 6.00am I heard the fridge being moved and officers came in my room. I jumped out of bed, naked, and they asked my name. When I told them they told me to put my hands together so they could handcuff me; I was being arrested... They wouldn't let me dress and took me outside naked to their van in the freezing cold, and threw me in the back. They knew I was ill, as I had asked them to pack my medication, but they didn't care.*<sup>12</sup>

Stories of abuse are not uncommon, and dawn raids have, in some cases, proven to be fatal. The raid on Joy Gardner, an immigration overstayer, for example in 1993 led to her death after she was placed in a body belt, had her wrists, thighs and ankles tied to handcuffs and belts, and 13 feet of tape wrapped around her mouth to stop her making any noise.<sup>13</sup>

Such incidents have generated a climate of fear among many asylum seekers, aware that they could be taken at a given time. According to one woman who was taken, and has since been released:

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<sup>5</sup> Byrne, L. (2007) *House of Commons Written Answers*, 29January, London: HMSO, Column 124W.

<sup>6</sup> See Home Office (2007) *Public Performance Target: removing more failed asylum seekers than new anticipated unfounded applications*, London: Home Office.

<sup>7</sup> Fekete, L. (2005) 'The Deportation Machine: Europe, asylum and human rights', *European Race Bulletin* No 51, London: Institute of Race Relations, p. 9.

<sup>8</sup> Interview with author, March 2008.

<sup>9</sup> PAFRAS (2007) *Newsletter 3: July-August*, PAFRAS: Leeds, p. 4.

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<sup>10</sup> Home Office (2008) 'Asylum figures lowest in 14 years', Home Office Press Release, 26 February. <http://www.homeoffice.gov.uk/about-us/news/asylum-figures-2008>

<sup>11</sup> Byrne, L. (2007) *House of Commons Written Answers*, 29 January, London: HMSO, Column 124W.

<sup>12</sup> Interview with author, March 2008.

<sup>13</sup> Fekete, L. (2005) 'The Deportation Machine: Europe, asylum and human rights', *European Race Bulletin* No 51, London: Institute of Race Relations, p. 78.

*It is hard now to sleep. I wonder whether they will come and take me again. They destroyed my room when they first came and I don't know what they were searching for... The other people in my house are terrified too. One of them has even slept outside, she is so scared of being dragged away.*<sup>14</sup>

## Systems of accountability

The fear that is stoked through dawn raids is compounded by a lack of accountability and mechanisms of oversight. The powers granted to immigration authorities have been consolidated through successive pieces of immigration legislation. And as a leading lawyer, Frances Webber, explained in February 2007:

*Immigration officers' powers have steadily increased to parallel powers of police in the last four immigration measures... But unlike the police, there are no mechanisms for ensuring immigration officers' accountability or for controlling abuse of powers.*<sup>15</sup>

Yet even the mechanisms that are in place to check abuses of powers are, according to those who have been raided, in certain cases simply not adhered to. For example, despite stipulations that suggest an individual is allowed to make an immediate phone call, after being taken in a raid and detained,<sup>16</sup> numerous people have suggested this phone call was not allowed. One person explained:

*They took my sim card out of my phone, and kept it. When I was in detention I was told that I could have my sim card back and hire a phone from the detention centre for £2 a week. We were given 71p a day when in detention, so £2 was over half my money.*<sup>17</sup>

Statistics for the number and nature of complaints made by people in relation to dawn raids are not available. But work by the Border and Immigration Agency Complaints Audit Committee gives some idea of mechanisms of redress. In their 2006/7 Annual Report the Complaints Audits Committee emphasised that 20% of records of complaints against BIA had gone 'missing'

(although this was later reduced to 15%),<sup>18</sup> and of complaints against arrest teams their audit sample showed that 'none was handled in time'.<sup>19</sup> Of overall complaints, those of criminal behaviour (some of which were assault) rose 7% from the previous year.<sup>20</sup>

It is in this context that on 25 February 2008 the Independent Police Complaints Commission (IPCC) acquired statutory powers to investigate allegations of abuse by immigration officers during (and not exclusively to) dawn raids. Although the IPCC has had little time to begin investigating claims of misconduct; the fact that allegations of abuse will be investigated by an individual body indicates the potential for a more effective system of accountability. In essence however, accountability is based on the willingness and ability of individuals to make complaints. Something that is unlikely for many people who have been removed from the country. Moreover, as one individual who had been taken in a dawn raid explained:

*By making something accountable, you are saying it is ok. That it is ok as long as the people who do it act within certain guidelines. If you have been through it though, if you have been taken away, then you know it is never ok. It can never be right.*<sup>21</sup>

## Conclusions

Held up as an essential part of an asylum system that creates its own targets of removal, dawn raids look set to continue, and even increase. That they cause immeasurable suffering and harm is lost. Yet by telling their stories, those who speak about their own experiences of dawn raids do more than fight for individual justice and redress. They provide evidence of the coercive, brutal, end of British asylum policy.

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<sup>14</sup> Interview with author, March 2008.

<sup>15</sup> Webber, F. (2007) 'Dangers of the UK Borders Bill', *Institute of Race Relations News*, 8 February <http://www.irr.org.uk/2007/february/ha000021.html>

<sup>16</sup> Byrne, L. (2007) *House of Commons Written Answers*, 24 January, London: HMSO, Col. 1827W

<sup>17</sup> Interview with author, March 2008.

<sup>18</sup> Border and Immigration Agency Complaints Audit Committee (2007) *Annual Report 2006/2007*, London: Home Office, p. 3.

<sup>19</sup> Ibid, p. 16.

<sup>20</sup> Ibid, p. 19.

<sup>21</sup> Interview with author, March 2008.