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GEOGRAPHIES
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AND ACTIVISM
IN THE BRITISH
ASYLUM SYSTEM

Nick Gill

WILEY Blackwell

Nothing Personal?

*Geographies of Governing
and Activism in the British
Asylum System*

Nick Gill

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Acronyms

BBC	British Broadcasting Corporation
BME	British Minority Ethnic
BNP	British National Party
BRIAF	Bristol Refugee Inter Agency Forum
CAB, CABx	Citizens Advice Bureaux
Cedars	Compassion, Empathy, Dignity, Approachability, Respect and Support
DCO	Detention Custody Officer
DFT	Detained Fast Track
DHSS	Department of Health and Social Security
ESRC	Economic and Social Research Council
EVF	English Volunteer Force
FAS	Failed Asylum Seeker
G4S	Group 4 Securicor
IND	Immigration and Nationality Directorate
NASS	National Asylum Support Service
NHS	National Health Service
PCS	Public and Commercial Services (union)
PO	Presenting Officer
RATs	Regional Asylum Teams
SLC	South London Citizens
UAF	Unite Against Fascism
UKBA	United Kingdom Border Agency
UNHCR	United Nations High Commission for Refugees

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Chapter One

Introduction

Nothing personal, it's just business: this is the new Satan of liquid modernity.
Bauman and Donskis (2013, p. 10)

Migrant Deaths

In 2013 an unannounced inspection of Harmondsworth Immigration Removal Centre revealed worrying instances of neglect. Harmondsworth is a British secure facility near London that incarcerates refused asylum seekers prior to their deportation. The inspection, undertaken by Her Majesty's Chief Inspector of Prisons, reported that 'on at least two occasions, elderly, vulnerable and incapacitated detainees, one of whom was terminally ill, were needlessly handcuffed in an excessive and unacceptable manner... These men were so ill that one died shortly after his handcuffs were removed and the other, an 84 year-old-man, died while still in restraints' (HM Chief Inspector of Prisons, 2014, p. 5). Staff had ignored a doctor's report declaring the 84-year-old, Alois Dvorzac, unfit for detention and in need of medical care. 'These are shocking cases where a sense of humanity was lost' the report continued, '[n]either had been in any way resistant or posed any current specific individual risk' (HM Chief Inspector of Prisons 2014, p. 13). Harmondsworth has the capacity to hold 615 detainees, making it the largest detention centre in Europe. It holds men

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only and the security in various wings is comparable to a high security prison. The report concluded that the centre displayed, 'inadequate focus on the needs of the most vulnerable detainees, including elderly and sick men, those at risk of self harm through food refusal, and other people whose physical or mental health conditions made them potentially unfit for detention' (HM Chief Inspector of Prisons, 2014, p. 5).

Mr Dvorzac's specific case is not an isolated phenomenon. Deaths in immigration detention are part of a global pattern of migrant deaths that occur as a result of the combination of bureaucratic ineptitude, the desperation of migrants and the strengthening of border controls. What is more, is not just asylum seekers who face risks.¹ For example, 58 Chinese stowaways who had suffocated in a container en route to the UK to work were discovered in Dover in 2001, together with just two survivors, almost suffocated amidst the putrid smell of rotting corpses (Hyland, 2000). The migrants had travelled from the southern Chinese province of Fujian on the Taiwan Strait and would have paid around £15,000 to get to Britain, most likely travelling on the strength of a deposit and facing the rest of the debt upon their arrival.² Although widespread consternation was expressed at the time, no fundamental alterations were made to the border policies and control practices that are at least partly responsible for the high risks they took. Another 23 Chinese migrants died picking cockles on the sands of Morecambe Bay in Lancashire, United Kingdom, in 2004. They were employed illegally, paid well below the minimum wage, and were sent to work in dangerous conditions without safety equipment or the ability to call for help. When the tide suddenly came in they were swept out to sea and suffered 'death in a cold, strange land' (BBC, 2006a). Although their deaths prompted the adoption of the Gangmaster (Licensing) Act (GLA) 2004, there 'is little direct evidence to suggest that the GLA has reduced worker exploitation, including long hours, lack of holiday and/or sick pay, unfair deductions, poor-quality tied housing, and restrictive contracts' (Strauss, 2013, p. 190). More recently, one man died and another 34 others were found suffering from dehydration and hypothermia, in a shipping container in Tilbury Docks, Essex, in August 2014. In this case the group were Afghan Sikhs who were intending to claim asylum, and included 13 children; they had been trapped inside the container for at least 12 hours.

The moral claim made by asylum seekers is seen as different from that made by economic migrants even though both often experience hardship, uncertainty and discomfort. Asylum seekers are invoking their right to safety from persecution rather than their right to work. As such they do not offend the sensibilities of those who are concerned about 'British jobs for British workers' in quite the same way as economic migrants, although overstated suspicion about 'bogus' asylum seekers – i.e. asylum seekers who are really in pursuit of employment or other financial gains – is never far from view in the British context (see Zimmermann, 2014, for an exposition

of the poverty of the notion of bogus asylum seeking). For the most part in this book I examine the situation of asylum seekers and not economic migrants, although I recognise that there are difficulties and sensitivities in distinguishing between the two.³

The British public's attitude towards migrant deaths has been largely insensitive since at least the early 2000s. Occasionally, the magnitude of a disaster or the horrific circumstances that surround it will make the news and provoke a popular, although usually short-lived, sense of guilt, as in the case of the tragic drowning of the toddler Aylan Kurdi, washed up on a Turkish beach in 2015, which prompted a social media outcry and a flurry of grassroots activism, obliging the Prime Minister David Cameron to accept more Syrian refugees to Britain. But most migrant deaths make little impact on public consciousness. UNITED⁴ has kept a 'List of Deaths' since 1993, which includes all reported deaths that have occurred as a consequence of European border militarisation, asylum laws, poor accommodation conditions, detention, deportations and carrier sanctions. The fatality count stood at 22,394 by mid-June 2015, although the actual figure is likely to be much higher as a result of the number of unreported deaths (UNITED, 2015). The United National High Commission for Refugees (UNHCR) (2014) reported that 3,419 people lost their lives trying to cross the Mediterranean in 2014 alone, making it the deadliest sea crossing route in the world. Yet because these numbers accrue steadily they have little impact. Until recently, there had been no sustained outcry from the British public against the lethal consequences of the current management of border controls beyond the protestations of a small number of interest groups.

Although this lacklustre attitude might be uncomfortable to acknowledge, it is possible to understand how it originates. Reports of migrant deaths refer to migrant struggles and lives that seem alien to, and distant from, the lives of most citizens in Western developed countries. It is difficult to appreciate their experiences of loss and suffering, especially when the accounts reference far-flung places that are unfamiliar and carry little resonance for the majority of middle-class Westerners. While this should not be taken as an excuse for the persistence of highly securitised border controls that pose a threat to the lives of migrants, it does render intelligible public apathy in the face of the calamities that befall migrants.

The degree of neglect exhibited by the guards, medical personnel and centre managers responsible for Mr Dvorzac at the time of his death, however, goes beyond the more general listlessness of the British public towards migrant deaths. It displays a level of unconcern and a disregard for suffering that is qualitatively distinct from public indifference. Disconcertingly, Mr Dvorzac was well known to the authorities: guards did not 'discover' him in the same way that border control officers came across the migrants in shipping containers. Rather Mr Dvorzac died as a result of neglect by individuals who could see his discomfort, were acquainted with

him, and had the power to alleviate his distress. Tragically, other deaths in British detention display similar symptoms. The Institute of Race Relations documents a series of deaths of detainees in British detention between 1989 and 2014, pointing toward the slowness of authorities to react to cries for help, the aggravating role of neglect when medical conditions are already being suffered, misplaced medical records, allegations of poor treatment and assaults by staff, referrals by medical staff that were never followed up, and insufficient care taken to prevent suicides (Athwal, 2014⁵).

It is a gruesome feat to be able to engender, within employees, levels of indifference that allow them to overlook the suffering of subjects right before their eyes. I call this a feat because it must have been achieved despite our tendency to feel weaker empathy for people who are far away from us and stronger empathy for those close to us. The British public's generally lacklustre response to migrants' suffering can be explained by this tendency: the fact that most migrant struggles occur in settings, countries and situations unfamiliar to most Western citizens, including the ports, docks and vessels that form the backdrop of the deaths in shipping containers and at sea, means that news of migrant deaths seems decidedly removed from their everyday lives. Mr Dvorzac, however, died in full view of the authorities that were supposedly caring and responsible for him and he was not, at the time, attempting to dodge these authorities but was rather relying on them for his welfare. His death, and the deaths of others who have died in similar conditions in detention in the United Kingdom, provides a starting point for my exploration of the relationship between indifference, moral distance and proximity in this book. What interpersonal, institutional and political factors, I ask, are producing levels of indifference that are proving lethal to migrants around the world? And what can anti-border activists do in response to them?

Moral Distance and Encounters

The relation between distance and indifference has been formally conceptualised in terms of 'moral distance'. Moral distance is a concept that enjoys considerable currency among moral philosophers, sociologists and psychologists, and represents a prominent example of geographical language that has been taken up outside the discipline of geography. My intention in adopting it is not to engage in subjective moralising, but to use it to refer to an empirical phenomenon. It refers to the 'distance decay' that moral concerns exhibit, resembling gravity to the extent that people further from us exert a weaker moral claim upon us (Tronto, 1987, citing Hutcheson, 1971; see also Smith, 2000).⁶ Put simply, it refers to the human tendency to care more for people close to us than to those far away.

Of course not all distance is the same. Zygmunt Bauman (1989) helps to disentangle various forms of distance and in so doing augments the 'moral

distance' argument. In his much-discussed study of the Holocaust⁷ he distinguishes the physical from the psychological distancing effect of bureaucratic organisational forms, although both are able to quash 'the moral significance of the act and thereby pre-empt all conflict between personal standards of moral decency and immorality of the social consequences of the act' (Bauman, 1989, p. 25). He also discusses the importance of mediation – that is the density of middlemen and women, or technological devices, that stand between the issuing of an order or the making of a bureaucratic decision and its consequence. Where this density increases, moral estrangement also increases, bringing with it the risk that individuals will be licensed to act immorally in the absence of any clear view of the suffering that their actions may cause. Although Bauman points to different forms of distance though, in essence the moral distance argument involves a consistent claim: that where distance of one sort or another separates individuals, any moral sentiments they might feel for those influenced by their actions are suppressed roughly in proportion to the distance itself.

Consistent with the notion of moral distance, it seems to follow that when distance is overcome this can act as a catalyst to moral concern. In recent years much has been written about 'the encounter'. For the philosopher Emmanuel Levinas (1979, 1981), encounters mean that I⁸ come face to face with suffering others⁹ such as asylum seekers fleeing persecution, and at this point I become responsible for them and accountable to them, experiencing their bearing of their vulnerability to me as both a plea and a command to respond. It is the face of the suffering other that generates this moral effect. Levinas is careful not to reduce being face to face with someone to merely sighting them: he understands proximity in a specific way that has an ethical rather than an empirical or literal meaning. Nevertheless, he makes clear that there is something morally demanding about being in proximity with someone who is suffering, and authors such as Bauman (1993) and Hamblet (2011) have extrapolated from this observation to make more practical claims about distance, morality and bureaucracy (see also Hamblet, 2003). For Hamblet (2011, p. 717) 'Levinas frames ethics as a problem of distance; the moral challenge is a challenge of geography.' For Bauman (1993, p. 83) '[p]roximity is the realm of intimacy and morality' whereas 'distance is the realm of estrangement and the Law'. Basing his argument on Levinas, Bauman opposes the moral potential of the face to face encounter with impersonal systems of bureaucratic rule that distance officials from subjects.

Border scholars have been largely silent of the topic of moral distance and indifference. In the next chapter I begin by making the case that our understanding of the spatial organisation of borders, border control and border work could be enriched by taking into account their importance. According to this argument the opening of moral distance – that is the phenomenon of *moral distancing* – is an important consequence of the broad shape of recent changes to both 'the state' in general and to modern immigration