

Vulnerable Women in Detention: Jewish Teachings on the Treatment of the Stranger

By Hannah Swirsky

Today (November 25th) is the [United Nations International Day for the Elimination of Violence against Women](#).

As such, it is an apt moment to consider what happens to the women who manage to leave the country in which they have experienced such violence.

For women who enter the UK but have their asylum claims turned down, the future is bleak. Those who refuse to return voluntarily to their country of origin, often due to fear of persecution and violence, are held in immigration detention centres while they await forced deportation or removal.

Described as “expensive, ineffective and unjust” by a [2015 cross party parliamentary report](#), immigration detention is central to UK immigration policy. Under Immigration powers, the UK Government is able to detain individuals whom the Home Office wishes to deport. As well as those who have had their asylum claims turned down, this includes those who have overstayed their visas or have not complied with their visa terms. Many of these people have come to the UK in search of a better life, yet they are consequently locked up and treated like prisoners. While the Government claims that detention is only used as a “last resort” (Brokenshire, 2015), the UK is increasingly detaining those who seek shelter here. 32,163 individuals entered detention in the year ending March 2016, compared with 27,594 in 2012. In the past year alone figures have increased by 4% (UK Home Office 2016). Given the systematic problems within immigration detention, this increase in figures is alarming.

It is always worth repeating that the UK is the only country in the European Union which routinely detains people for immigration purposes without a time limit. After extensive lobbying, the [2016 Immigration Act](#) placed a 72-hour time-limit on the detention of pregnant women. However, further reform is needed. René Cassin continues to be one voice among many in the call for an end to indefinite detention (#Time4aTimeLimit) and are pushing to demonstrate workable [alternatives to detention](#).

Particularly troubling is the gendered experience of immigration detention. Having specific needs that go unrecognised or unmet, women’s experiences of detention are often markedly different to men’s (Brané and Wan, 2013: 37-38). A significant number of women who are detained have previously faced sexual violence or torture. In 2012, Women for Refugee Women undertook interviews with 48 detained women. Of these women, 72% said that they had previously been raped and 41%, said that they had been tortured. 85% had been either raped or tortured (Girma et al, 2014: 4). While this data only represents a small proportion of detained women, such figures are nonetheless deplorable.

Inexplicably, the Home Office refuses to disclose concrete data on the number of victims of sexual violence inside Yarl’s Wood (Sanghani, 2016), where the majority of women are detained in the UK ([354 in March 2015](#)). In January 2016, Stephen Shaw published a Home Office commissioned [Review into the Welfare of Vulnerable](#)

[Persons in Immigration Detention](#), which reasoned that victims of sexual violence and torture should only be detained under exceptional circumstances as, for these women, detention contributes to vulnerability (Shaw, 2016: 8). Indeed, both Freedom from Torture (2015: 1) and Women for Refugee Women (2015: 2) have made clear that detention has a significantly negative impact on the mental health of victims.

The Government broadly accepted Shaw's recommendations and stated that victims of sexual violence and torture would be included on the list of those who should not be detained (Brokenshire, 2016). However, Shaw's recommendations have not materialised and women who have experienced such violence are still being held in immigration detention centres. Just a few weeks ago, it was reported that a female victim of torture and human trafficking was still being detained at Yarl's Wood [after over two years](#). In addition to this surpassing the Home Office's claim that detention is "only possible if removal is likely within a reasonable period", the woman falls under the category of 'vulnerable women' and thus should not be detained (Bedfordshire on Sunday, 2016). One explanation for the continued detention of survivors of sexual violence and torture is the culture of disbelief that exists towards these women (Townsend, 2014). This was evidenced in a Channel 4 (2015) exposé of Yarl's Wood, in which suicide attempts by those who had experienced violence in their country of origin were described as 'attention seeking'. Such incredulity has clearly harmful effects and stops these women from getting the support that they so urgently need.

Moreover, a number of women have come forward to corroborate allegations of sexual abuse by staff at Yarl's Wood. For example, it has been claimed that guards have offered to help women with their immigration cases in return for sexual contact (Townsend, 2013). There have been many demonstrations against such an abuse of power and more than 2,000 people protested outside Yarl's Wood in March 2016 (Little, 2016). As well as sexual abuse, there have been numerous instances of male guards entering rooms without permission and seeing female detainees in intimate situations, such as showering or using the toilet. This is particularly distressing for those who have previously experienced gender-based violence (Girma et al, 2014: 31). While not overt, these subtle forms of violence entrench harmful power relations.

Looking at immigration detention through an intersectional feminist lens, it is clear that, as well as gendered, experiences within detention are often racialized. These women are all 'foreigners' (in the sense that they do not possess British citizenship) and the majority are women of colour (UK Home Office, 2015). Treated as an 'other', both their gender and race contribute to their degrading treatment in detention. Indeed, race is vital to understanding experiences of immigration detention (Bhui, 2016). In 2008, a Race Relations Audit found that many racist incidents had occurred in detention, such as racist taunts by guards (Branigan, 2008). Such dehumanisation, which is perpetuated by public and political discourse, reinforces the 'otherness' that has justified the subordination of these women (Ocen, 2013: 479). An ongoing theme arising from interviews with detained women was that they felt that they had **lost their humanity** (Women for Refugee Women, 2015: 20).

Immigration detention from a Jewish perspective

René Cassin is a charity which draws on both Jewish values and experience as a way to promote and protect universal human rights. This is particularly poignant when it comes to the treatment of asylum seekers. There is plenty of text within the Torah that can inform our attitudes towards the 'other':

"When a stranger dwells among you in your land do no taunt him. The stranger who dwells among you shall be as a native among you, and you shall love him like yourself for you were aliens in the land of Egypt" (Leviticus 19:33).

Like our ancestors were in Egypt, these women are strangers in our land and we have a moral obligation to treat them with compassion. The Torah also contains the story of Ruth, which provides us with a lesson regarding the treatment of women who have left their home. The book of Ruth tells the story of an immigrant who was greeted with kindness by a man called Boaz and given the opportunity to actively assimilate within society, instead of being forced to hide in the shadows (Rabbi Gurevitz, 2014). As noted by Levy (2014), Ruth questions the compassion that she receives by asking:

"How could I have found grace in your eyes that you should recognise me (I'hakireni)-Yet I am foreign (nokhriya)" (Ruth 2:10).

To explain this recognition, Levy highlights the words of Rabbi Jonathan Sacks:

"In Hebrew the root [of the word nokhriya] n-k-r is a contronym. It means 'to recognise' – to grant rights and privileges. It also means 'to be a stranger', someone others do not recognise. Ruth uses it in both senses in the same sentence: 'I am a stranger; why have you treated me like a friend?'. A single Hebrew word spans the spectrum of human interaction between recognition and estrangement, compassion and indifference."

While a 'stranger' in the most basic sense, Boaz is able to see beyond the categories (such as race, religion and nationality) that seek to define us. Instead, he views Ruth in the way that we should view all- as a fellow human being. The compassion shown for Ruth is something that should be extended to those who are currently detained.

It must be noted that immigration detention is a wider issue and does not just affect women. More men are detained than women and this is also severely problematic and unjust. However, experiences within detention are often gendered and racialized and it is important that this be highlighted. The detention of vulnerable women, most notably those who have been subjected to sexual abuse, is particularly unjust. While human rights are universal, violations of human rights can be very particular.

Get involved! #Unlocked16

This week (November 21–27) the Detention Forum, of which René Cassin is a member, are shining a light on Yarl's Wood as part of their [#Unlocked16](#) campaign. The campaign aims to illuminate the realities of UK detention centres by focusing on a different detention centre each week. Every Friday, the Detention Forum undertakes a live Q & A with someone currently detained.