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Yarl's Wood: Home Office locked up woman in 'freezing' punishment room for 28 hours in breach of law

Kenyan asylum seeker unlawfully held in room with no bedding and just a 'rusty toilet'

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A security guard at the gates of Yarl's Wood Immigration Removal Centre *Getty*

The Home Office unlawfully locked a woman up in a “freezing” punishment room for 28 hours at a detention centre when she had committed no crime, a court has ruled.

The Kenyan asylum seeker, who is claiming asylum on the basis of her sexuality, was held in a room that had no bedding and just a “rusty toilet” at the Yarl's Wood Immigration Removal Centre in September last year.

Segregation is permitted in immigration detention under certain circumstances, but after 24 hours of locking someone in a cell on their own, the Home Secretary has to authorise any further period of being held in isolation. In the case of this woman, no such authorisation was sought despite the fact she was held for a total of 28 hours.

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The court case marks the first time segregation in detention has been challenged. Between 1,200 and 4,800 detainees are placed in segregation each year, according to [research](#) by charity Medical Justice – many of whom have committed no crime.

The woman said she was held in segregation because she had previously refused to “go quietly” with Home Office escorts when they had tried to forcibly remove her from the UK, due to the fact that her asylum claim was still ongoing.

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“I refused to go with the escorts because my immigration case was still going through the courts and no final decision had been made,” she told the *Guardian*.

“The staff said I was not compliant. There was no bedding and just a rusty toilet in the cell they put me in. I was freezing cold.”

When asked about the court case, she said: “I was anxious too but I had my lawyers behind me so I began the case against the Home Office while I was still locked up.

“I wasn’t just doing it for myself but for thousands of other immigration detainees who are also placed in segregation, often without good reason.”

The woman’s solicitor, Lewis Kett of Duncan Lewis Solicitors, told *The Independent* the ruling was a “breakthrough” in the sense that it was the first time segregation in detention had been challenged.

“This is the first time that segregation in immigration detention has been found to be unlawful. There has been case law on segregation in the prison and hospital contexts, but this is the first time it’s occurred in an

immigration context. It's a breakthrough in that sense," he said.

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Medical Justice, which observes the treatment of people in detention centres, describes the use of segregation on detainees as “one of the most severe and dangerous sanctions that can be imposed on detainees”, saying it can have a “devastating” impact on mental and physical health.

A Home Office spokesperson said: “Detention is an important part of our immigration system, helping to ensure that those with no right to remain in the UK are returned to their home country if they will not leave voluntarily.

“We will now consider our next steps following today’s ruling.”●

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