

Spring 2026

# Legal Advice Survey



Monitoring access to  
justice in immigration  
detention

**BiD** Bail for  
Immigration  
Detainees

June 2026

## BID Legal Advice Survey - Spring 2026

*This report was co-written by Tigs Louis-Puttick and Lauren Fox, with research undertaken by BPP volunteers. Many thanks to all involved.*

### Executive Summary

- **Access to legal representation in immigration detention has yet again reached its lowest point in BID's records. Only 27% of survey respondents were represented.** This is the second consecutive Legal Advice Survey to have found lowest ever levels of legal representation.
- The key factors preventing access to representation are a lack of access to legal aid and the limited capacity of legal aid immigration providers.
- 53% of respondents stated that they or a family member had worked on their own immigration case, or that they used the internet to research their case.
- Few respondents were given advice on immigration bail or information on Exceptional Case Funding for legal aid.
- The overall uncertainty and lack of legal advice are immensely challenging for people in immigration detention. As one respondent said, *"It is hard to persist without knowing what is happening/hearing no news about the outcome."*

### Background

A total of 22,996 people entered immigration detention in December 2025, 11% more than the previous year.<sup>1</sup>

Last year, BID helped 2,170 people apply for bail or challenge their deportation.

One of BID's key aims is to improve access to justice for people in immigration detention. To support this aim and to improve our own advice service, BID speaks directly to individuals in immigration detention twice each year to document their experiences of obtaining legal advice and representation while in detention.

### Methodology

The Spring 2026 Survey is the 24<sup>th</sup> conducted by BID since it began surveys of access to legal representation in immigration detention in 2010.

A total of 90 detained individuals were contacted between February and March 2026 by a team of volunteers from BPP Law School, supervised by BID. 17 individuals contacted agreed

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<sup>1</sup> <https://www.gov.uk/government/statistics/immigration-system-statistics-year-ending-december-2025/how-many-people-are-detained-under-immigration-powers-in-the-uk>



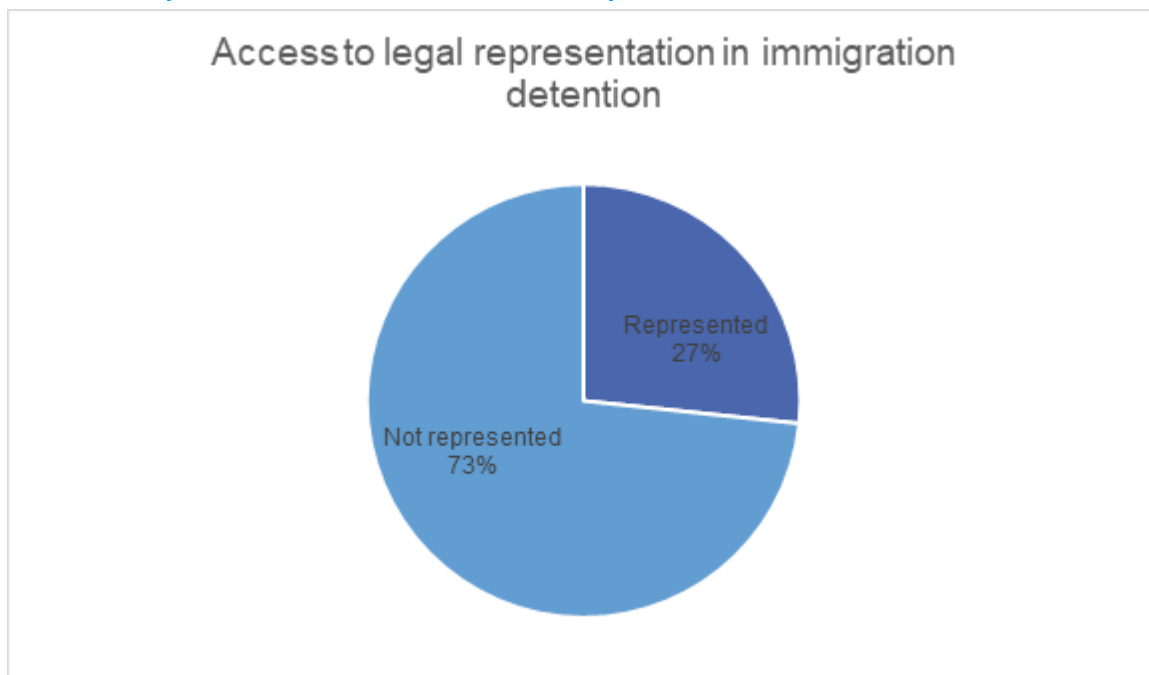
to take part in the survey. Individuals held in prisons were not included in this interview sample.

Respondents were from 14 countries and were held at 5 detention sites (Derwentside, Colnbrook, Harmondsworth, Tinsley House, and Yarl's Wood). The average length of time in detention was 3.5 months (min = 10 days, max = almost 1 year). Respondents were given the option to complete the survey in English or with an interpreter. Each of the individuals had previously been in contact with BID and had consented to the disclosure of their anonymised information to further BID's research work.

Participants were at different stages of their cases: 2 were awaiting asylum decisions, 6 were facing deportation, 3 had been deported, 5 were not sure, and 1 was seeking settled status. 50% of participants had arrived at the removal centre directly from prison. 33% were, or had been, detained under the UK-France agreement, to be returned to France upon arrival in the UK.

### Findings

#### Access to representation is at its lowest ever point



Only 4 of the 15 respondents reported being currently represented. Of these 4, 3 highlighted difficulties with their representatives (no recent contact from their representative or inadequate support). 1 respondent reported losing contact with their solicitor when moving from one removal centre to another.

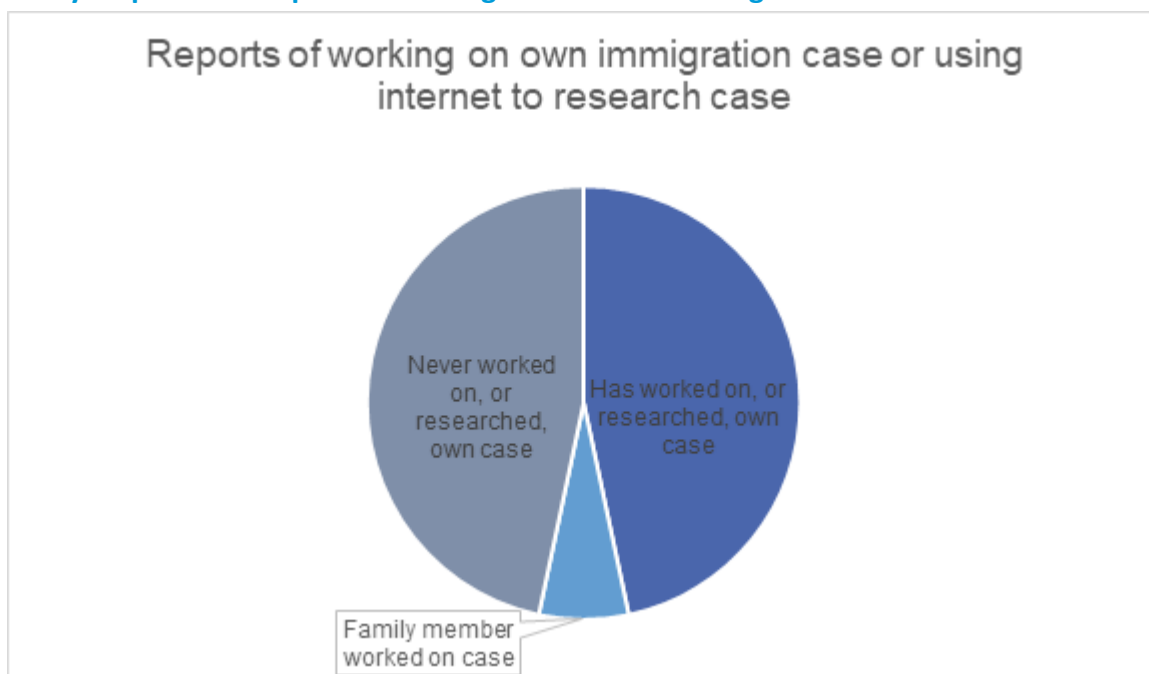
64% of respondents had received some form of legal advice whilst in an immigration removal centre.

67% of respondents who had previously been detained in prisons reported not having access to legal advice whilst detained in prison. All respondents who had access to advice stated that this advice had come from a prison officer rather than an immigration adviser. This aligns with concerning findings from BID's latest Prison Legal Advice survey.

### **Lack of legal aid and limited capacity are the key factors preventing access to representation**

The most common reasons respondents were unable to secure representation were the lack of access to legal aid or representatives' limited capacity (representatives either refusing to take on a case or dropping a case). 1 respondent also stated that he had no need for a representative as he could access the same advice through ChatGPT and other online sources.

### **Many respondents reported working on their own immigration cases**



53% of respondents who answered this question stated that they or a family member had worked on their own immigration case, or used the internet to research their case because they did not have legal representation or sufficient advice. This demonstrates the severe lack of access to quality legal representation and advice, as individuals should not have to resort to navigating the complexities of immigration law alone or without qualified legal support. Many respondents reported difficulties in doing work on their own case:

- *“Yes, but it is hard [...] I know I’m not a lawyer, so I don’t feel this is a feasible alternative.”*

- “[My family member] was not getting any help.”
- “No as there are more than 100 people in the queue waiting to use the computer. Computers were not working properly either so unable to access the internet with ease.”
- “Yes, but it is hard to access the internet as some websites are blocked.”
- “A lot of websites are blocked: Dropbox, DocuSign, YouTube, Facebook. In prison, no phones etc; you feel you are a prisoner even when a detainee.”
- “I can’t print out newspapers. Even crosswords blocked! No pictures.”
- “A lot of websites [are blocked]. Only email works. I wanted to bring documents from home, but could only do so via WhatsApp.”

BID is concerned by the frequent reports of websites being blocked, given that the 2001 Detention Centre Rules state that detention is not punitive and that IRCs should provide a ‘relaxed regime with as much freedom of movement and association as possible’.<sup>2</sup>

#### Awareness of free legal advice is high, but DDAS is not functioning properly



87% of respondents were aware that they are entitled to free legal advice through the Detained Duty Advice Scheme (DDAS) while detained in an IRC. However, as shown above,

<sup>2</sup> Detention Centre Rules 2001, s 3(1)

only 27% of respondents are currently legally represented. Respondents reported several challenges accessing advice, which explains this discrepancy.

**Challenges reported by respondents:**

<p><b>Unable to access advice</b></p>	<ul style="list-style-type: none"> <li>- <i>“There isn’t any advice officially.”</i></li> <li>- <i>“The people in charge seem uninterested.”</i></li> <li>- <i>“Every time I ask for advice, they say they can’t take on my case.”</i></li> </ul>
<p><b>Representatives difficult to contact</b></p>	<ul style="list-style-type: none"> <li>- <i>“[I ]can’t get hold of my caseworker, it’s frustrating – I have no idea why. But apparently this problem is getting worse [...] I am constantly shuffled between services and forwarded on.”</i></li> <li>- <i>“My lawyer only contacted me again after 6 weeks+. [They are] completely unresponsive when I try to reach them.”</i></li> <li>- <i>“[My solicitor] left his email and phone number. However, when my daughter tried calling, they claimed not to have my details.”</i></li> <li>- <i>“[My representative] remains unreachable.”</i></li> </ul>
<p><b>Representatives are not of sufficient quality or are ill-informed</b></p>	<ul style="list-style-type: none"> <li>- <i>“The solicitor did not show up in court, and I had to represent myself with no evidence or anything.”</i></li> <li>- <i>“The solicitor didn’t even know who my caseworker was. He seemed incompetent, [spoke to me] close to closing time and [made] lots of promises.”</i></li> <li>- <i>“Waste of time. Even if your claim is good, they deport you.”</i></li> <li>- <i>“[My solicitor] gave me insufficient notice [of a deadline], so that I went on to miss the deadline.”</i></li> <li>- <i>“[In my hearing,] they didn’t produce enough evidence – I could tell that the solicitors weren’t actively seeking information. I spoke at the Tribunal, but felt that my barrister was not speaking.”</i></li> <li>- <i>“Lots of people end up frequently changing solicitors due to incompetence.”</i></li> </ul>



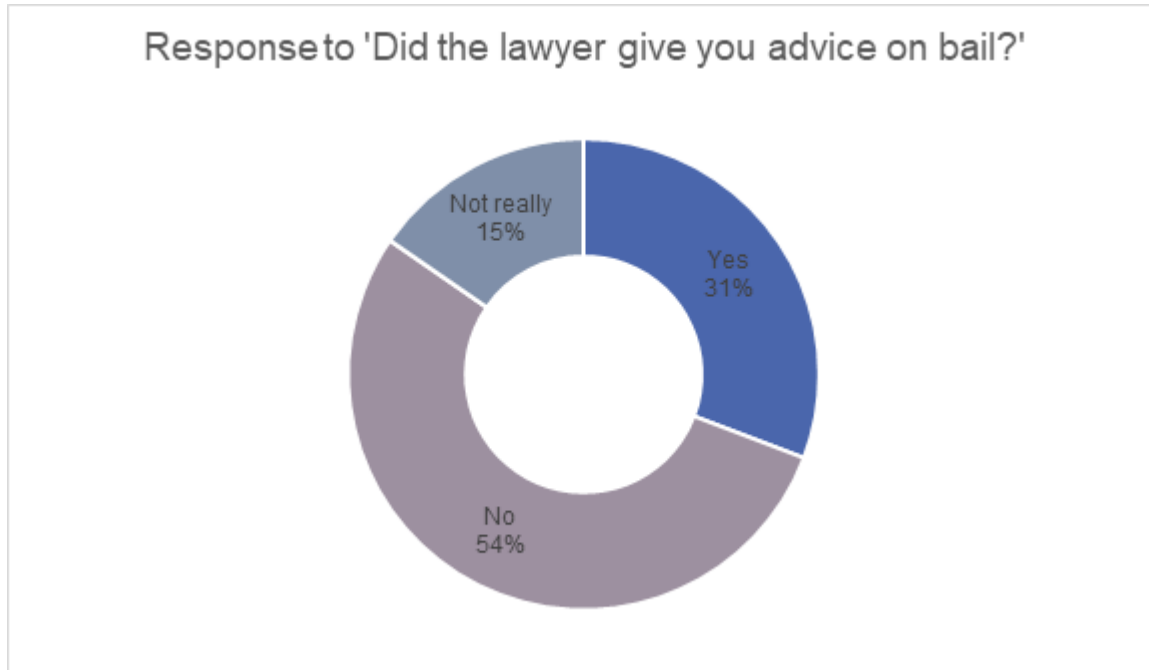
<p><b>Limited time to meet adviser</b></p>	<ul style="list-style-type: none"> <li>- <i>“The lawyer told me they only have 4 minutes to speak - meeting was rushed and I was not given any opportunity to speak.”</i></li> <li>- <i>“[My adviser was] unhelpful and only provides general advice, 10 minutes.”</i></li> </ul>
<p><b>Unhelpful advice</b></p>	<ul style="list-style-type: none"> <li>- <i>“I was offered no advice, being kept in complete uncertainty. I am frustrated at the repetitive nature of the process with no visible end in sight.”</i></li> <li>- <i>“I received no useful advice. I have been assigned a few lawyers (around 3) to work on my case, but they were not very efficient, passing my case on to someone else.”</i></li> <li>- <i>“Not helpful, no advice was given.”</i></li> <li>- <i>“[My solicitor] didn’t answer my questions. I told him, ‘if you don’t want to work for me, please let me know.’ I felt that I was pushing to be heard as opposed to him taking the initiative to give advice.”</i></li> <li>- <i>“In the detention centre, my solicitor informed me that he will cancel my flight and that I will not be flown back but I was put in a flight back home anyway.”</i></li> </ul>
<p><b>Perception of representatives as linked to Home Office</b></p>	<ul style="list-style-type: none"> <li>- <i>“It wasn’t helpful; just like speaking to people from Home Office.”</i></li> <li>- <i>“Solicitors work with the Home Office – [they] do not offer legal advice per se.”</i></li> </ul>

Respondents reported an average waiting time of 11 days for an appointment with an adviser on the Detained Duty Legal Advice Scheme (DDAS) (min = 1 day, max = over 21 days). No respondents stated that they had been given written information and advice following their meeting with a lawyer on the DDAS. After the initial appointment, respondents reported significant discrepancies in waiting times for further contact, ranging from a few days to over 6 weeks, with one client saying they had been waiting for 6 months. One respondent stated that, *“it is hard to persist without knowing what is happening/hearing no news about the*



outcome.” Only 40% of respondents reported receiving information about legal aid Exceptional Case Funding.

### Few respondents were given advice on immigration bail



Only 31% of respondents reported being given advice on applying for immigration bail. One respondent stated, “Yes, but they never carried it through or gave me any form [or] anything; [it was] only talk”. Another told us, “I took the idea [to apply for bail], asked custody officer and friends outside.”

### Other comments from respondents

- Poor treatment by staff
  - o “Some officers were racist in the IRC – I feel that because I am black, I was treated differently from other inmates who are Polish/Albanian. For example, you ask an officer to get a solicitor, but some officers will not do it, but they know you can get deported so it is very frustrating.”
  - o “Everything is shit, no one does anything, the staff don’t know anything. The staff do not engage with you, [they] frustrate you, trying to make you angry. You feel that they want your case to fail.”
- Mental and physical health
  - o “I would like to know if I would be able to access further support on account of my mental health difficulties. I am suffering as a result of clinical depression, and tried to harm/kill myself whilst in the IRC.”

- *“In the detention centre, I was told I would be helped with medication – but now I cannot be helped in the hotel. I was told a doctor would come every week. Medication is finished. He only came once. They lost my clothes.”*
- *“People do ask about your welfare, but you feel like you’re pushing for it.”*
- *“The whole process of being in prison has been mentally and physically tiring.”*
- *“To be honest, I don’t even want to think about; I don’t even know what I did wrong to get there. When I was in that detention I was just alone and kept myself to myself, but I was lucky because there were people there that could speak my language. It wasn’t fair that I got detained there.”*
- *“A lot of people are losing their lives and hope, when they tell them France would accept them.”*
- Lack of support after leaving IRC
  - *“I am worried about being lonely even after bail [...]. Sleeping rough presents difficulties.”*

### Conclusion and Recommendations

With detention and deportation increasing,<sup>3</sup> it is ever more imperative that individuals in immigration detention have access to high quality, consistent and early immigration legal advice and representation. However, this report shows that levels of representation are lower than ever. When people are being deprived of their liberty and face severe, life-changing outcomes of their immigration legal cases, their access to justice is even more vital and must be safeguarded in order to uphold the rule of law and human rights.

BID believes immigration detention is inhumane, unnecessary and unjust. We campaign for an end to the deprivation of individuals’ liberty for the purposes of immigration control. However, while detention for immigration purposes continues to exist the following recommendations must be implemented as a matter of urgency.

1. Individuals being held in detention should be automatically allocated a legal aid immigration lawyer within 48 hours of their detention under immigration powers. This lawyer should be retained until they are removed from the UK or are granted leave to remain.
  - Even if a case is deemed to have no merit, lawyers should retain cases for review in case of circumstantial change e.g. passage of time in detention. This

<sup>3</sup> <https://www.gov.uk/government/statistics/immigration-system-statistics-year-ending-december-2025/how-many-people-are-detained-under-immigration-powers-in-the-uk>



will avoid the need for repeat appointments and wasted legal advice costs and time.

2. All immigration cases should be brought back into the scope of legal aid, reversing the effect of the 2012 Legal Aid, Sentencing and Punishment of Offenders Act (LASPO).
3. In the interim, immigration lawyers should receive legal aid funding for ECF applications regardless of the outcome.
  - Legal aid lawyers should be permitted to self-authorise grants of ECF without needing to submit application forms through the Legal Aid Agency. This will streamline the ECF process. Grants of ECF will remain subject to audit to ensure the procedure is being properly followed.
4. The use of prisons for detaining people under immigration powers must be ended.
5. In the interim, we recommend an urgent review of the provision of legally aided legal advice for people detained under immigration powers in prisons, and the introduction of in-person legal advice for people detained in prisons.
  - People should have access to legal advice schemes in prison as soon as the Home Office engages with their immigration matter, including those still serving criminal sentences.
  - People should be informed as soon as possible that they will be detained under immigration powers at the end of their prison sentence.
6. In lieu of Recommendations 1 & 2 being implemented, the DDAS must be reviewed in the following ways:
  - The LAA should carry out an in-depth review of the quality of advice given by providers on the rota, particularly regarding written advice. Providers should be removed if they are not providing sufficiently high-quality advice (including on lack of merits), routinely do not take on cases, or fail to provide written advice following their appointments.



- The LAA should track whether individuals had a DDAS appointment and if so whether they were taken on. This may require monitoring in collaboration with the Home Office or individual IRCs.
  - The LAA should enable and assist people to seek advice from any non-surgery legal aid lawyer of a person's choosing.
  - There should be automatic entitlement to legal aid representation at bail hearings at least every 28 days (in line with the statutory right of people in detention to apply for bail every 28 days or sooner if there is a change of circumstances).
7. Legal advice providers should be encouraged to send representatives to surgeries in IRCs in person.
8. The decision to prohibit social media in IRCs should be reviewed and reconsidered.

