

BID

Bail for
Immigration
Detainees

www.biduk.org

Bail for Immigration Detainees is an independent charity that exists to challenge immigration detention in the UK. We work with asylum seekers and migrants in removal centres and prisons, to secure their release from detention.

Annual Report 2019

20 years supporting over

45,000

people in detention

Bail for Immigration Detainees

“Over the course of our inquiry, we have found serious problems with almost every element of the immigration detention system. People are being wrongfully detained, held in immigration detention when they are vulnerable and detained for too long... too often the Home Office has shown a shockingly cavalier attitude to the deprivation of human liberty and the protection of people’s basic rights.”

(Home Affairs Select Committee 2019 Report on Immigration Detention)

What is immigration detention?

Anyone subject to immigration control in the UK can be detained. It is an administrative and not a criminal process. There are none of the safeguards that there should be when depriving someone of their liberty. First, the decision to detain an individual is taken by an immigration officer and not overseen by a court. Second, there is no automatic legal advice or representation. Third, there is no time limit. Given these three factors, people can be detained for weeks, months and even years. People can also be re-detained, but the Home Office treats these as separate periods of detention and does not count cumulative lengths of detention. Many people experience repeated periods of detention.

What does BID do?

BID’s vision is of a world free of immigration detention, where people are not deprived of their liberty for immigration purposes. We aim to challenge immigration detention in the UK through the provision of legal advice, information and representation alongside research, policy advocacy and strategic litigation.

Specifically, we:

- Run a telephone helpline four mornings a week to deliver legal advice and information
- Deliver legal advice sessions and workshops in detention centres and prisons
- Prepare, update and disseminate self-help materials on detention and deportation so that detainees have the tools to represent themselves if they don’t have a lawyer
- Prepare court cases for release on bail and deportation appeals
- Carry out research, gather evidence from casework, and prepare reports and briefings for civil servants, parliamentarians and the general public about different aspects of immigration detention
- Refer cases for unlawful detention actions
- Act as a third party intervener, or provide evidence to the higher courts on detention policy and practice
- Raise awareness of immigration detention with the wider public



“BID really supported me a lot while I was in detention because they literally went to represent me for bail lots of times. Which was really, really helpful. Having people like that is going to allow more people to be able to fight for their rights.”

Client

Chair’s Report

At a time when less and less seems to shock, it is still unbelievable that the UK exposes fellow human beings to the degradation of immigration detention. Despite all the uncertainty around Brexit, BID continues, as it has done for 20 years, to support those left vulnerable by immigration detention. I know from the comments we receive from clients how much they appreciate what BID has done to help them at their time of need. The nature and range of our work is becoming more complex as we broaden the type of support we give to clients beyond basic bail advice and the team continues to amaze with the quality of the work it delivers.

On behalf of the Board I would like to thank Pierre Makhlouf for standing in so ably while Celia recovers from illness and also to all the other staff and volunteers who work so incredibly hard to support our clients. I also want to thank the Board who freely give their time and energy to support BID. And finally, none of this is possible without the financial and broader support you, our supporters, give to BID. Thank you.

Sandeep Katwala, Chair



Chair of Trustees Sandeep Katwala at our Anti-Birthday event marking BID's 20th Anniversary

“In the quarter until 4 February 2018, only 45 per cent of those leaving the detention estate were removed from the country – the rest were released. While I welcome the overall decrease in the numbers of those detained, these figures continue to call into question the extent to which the current use of detention is cost effective or necessary.”

Assessment of government progress in implementing the report on the welfare in detention of vulnerable persons, Stephen Shaw, July 2018

Director’s report



Amid all the political turbulence with which we were all surrounded during 2018/19, a significant anniversary took place. 2019 marked twenty years of BID’s existence. For those inspirational and committed people who founded BID, it must have been unimaginable that the organisation would continue to be around twenty years from then. At the heart of the founders’ approach was the idea that they would not only get people out of detention, but in conjunction with that, would persuade politicians that immigration detention was not only cruel and inhumane, but utterly unnecessary in the operation of an asylum and immigration system. Sadly, despite BID consistently advocating for an end to detention, the system expanded and became ever more entrenched over the years, with an expansion of the so-called detention “estate” along with its privatisation.

BID has spent twenty years carefully documenting and researching every aspect of immigration detention policy and practice, becoming an acknowledged expert in the field. BID staff through the years have briefed journalists and politicians, worked tirelessly to influence civil servants and have borne witness to some tangible changes – for example with the ending of the detention of children in 2010. Notwithstanding the very real political difficulties that the country currently faces, BID continues to advocate for those who are detained and continues to hope for, and strive for, a brighter future – our vision is for a world without immigration detention and those who work for, and volunteer for BID combine their energies to this end.

One of the noticeable changes in the last year was the reduction in the numbers of people being detained. While the cynic in us feared that this might be an attempt to “clear the decks” in preparation for the detention of EEA nationals in the event of the UK leaving the EU, we also hoped that it was in response to greater public scrutiny – particularly in parliament, but also in the media – of immigration detention. Condemnation for the system was wholehearted from both the Home Affairs Select Committee and the Joint Committee for Human Rights, to which BID had given both



oral and written evidence. A range of different articles appeared in the press, including a week’s focus on immigration detention in the Guardian, as well as the tireless work carried out by Amelia Gentleman in exposing what had happened to the Windrush generation. BID worked behind the scenes to brief journalists and to assist with information and contacts wherever possible, and yet again, BID appeared in the press an impressive number of times. The reduction in numbers of people being detained also meant a corresponding reduction in the number of people that BID was able to support, but this also resulted in providing a more in-depth service to those clients who were representing themselves who we were unable to take on for our represented service.

Whatever the future holds for the UK, BID will continue to push for an end to the barbaric system of immigration detention that has caused so many such suffering and hardship. Thank you to all of you who have assisted us in the journey so far – we hope we can count on you to continue to support us in the future. We need you.

Celia Clarke, Director

Bail casework and outreach

In the past year BID staff and volunteers have supported a total of 4,161 people. Most clients receive legal advice with a smaller proportion being directly represented by BID. Staff and volunteers prepared 522 bail applications. Of these, 375 were heard in court and 222 of resulted in a grant of bail with an overall success rate of 59%. A total of 107 workshops/ legal advice sessions were delivered to 1,208 people in 6 prisons and 7 immigration removal centres (IRCs). We try and keep track of people who we have advised although this can be difficult as they are sometimes moved, or removed. A minimum of 510 people provided with assistance from BID were released. We also provided deportation advice to 121 people and have 19 current active deportation cases. Government statistics showed that in 2018, 24,748 individuals entered the detention estate, 10% fewer than the previous year and the lowest level since comparable records began in 2009. We are glad to see the total numbers of people requiring our support decreasing and have adapted to this change by deepening the level of support we provide to each client.

Until this last year our “DIY” scheme (helping detainees apply for bail themselves) scheme provided advice and support to help detainees improve their own bail applications by sending them advice letters. In the last year we have begun to help people by preparing their grounds for bail and gathering evidence so that they are better prepared to represent themselves. This has been very positively received and we are now opening a higher percentage of files for our DIY clients than we have done previously.

Achievements

4161
individuals provided with assistance

525
bail applications prepared, 375 actually heard; 222 released on bail

59%
success rate for represented cases

510
people who had received assistance from BID were released

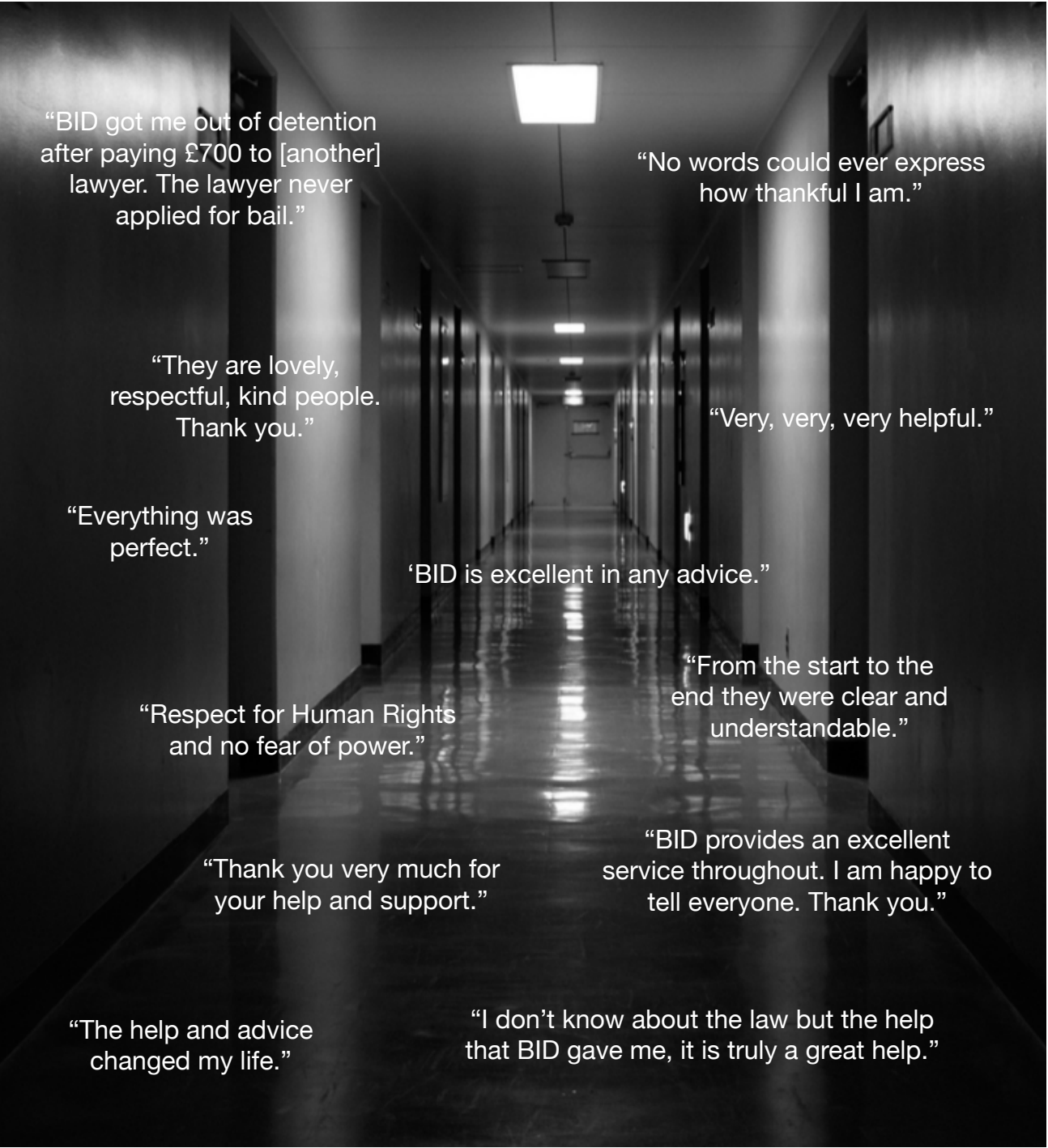
107
legal advice sessions delivered to 1208 people in 7 IRCs and 6 prisons

121
Individuals provided with deportation advice

“96% of those who returned feedback forms from our casework and our legal advice sessions rated our work as either “excellent”/“very helpful” (83%) or “helpful” (13%).

Comments

A sample of clients’ comments



Prisons’ project

Our prisons’ project focuses on the provision of legal advice and representation to time-served prisoners detained in prisons under immigration powers and facing deportation action. As well as corresponding and advising prisoners by post (they have no access to mobile phones), the legal adviser makes prison visits about once a month to deliver legal advice to prisoners and training to prison staff. Through this process, cases are identified for representation or referral, either internal or external. There is significant crossover and collaboration between this project, BID’s Separated Families’ Project, and our Article 8 Deportation Advice Project. Evidence from these projects also feeds into our policy work and helps with preparing witness statements for strategic litigation. The project also refers cases out to other lawyers to mount unlawful detention challenges. According to responses to FOI requests, the Home Office pays out approximately £4 million a year in compensation for unlawful detention.

The project assisted 368 people in the past year. 72 bail applications were prepared, of which 62 were actually heard. 29 were granted bail. 42 referrals were made for judicial reviews for unlawful detention or for advice on their substantive immigration matters. 1,208 people were advised at workshops in the following prisons: HMP Pentonville; HMP Bronzefield; HMP Downview; HMP Wandsworth; HMP

Peterborough, HMP Wormwood Scrubs and HMP High Down.

Feedback from clients was very positive (100% pronouncing them either “helpful” or “very helpful”): 78% ‘very helpful’, and 22% ‘helpful’. 100% of the clients who were represented by the project rated the preparation of their case as either “good” or “excellent”.

‘Thank you from the bottom of my heart. My family is filled with gratitude’

‘A big thank you to all the staff behind the scene. You are appreciated. Your good work and charitable deeds will no doubt go rewarded.’

‘Complete professionalism with knowledge’

CASE STUDY

A was detained in October 2018 following completion of a criminal sentence. During his sentence he was assessed by his offender manager as posing a very low risk of reoffending and it was acknowledged by the sentencing judge that it appeared to be a one-off incident, for which it was clear he was remorseful. His wife lived in the UK and suffered from a degenerative and terminal lung condition. At the time of the A’s initial detention under immigration powers his wife had fallen into a coma and was being treated in intensive care in hospital. However despite being served with a deportation decision while in prison he was unable to afford private legal advice and he did not have access to a legal aid lawyer.

When we applied for bail on A’s behalf the Home Office disclosed that he had been assessed a month previously as unfit to fly due to a serious heart condition. The assessment was categorical and stated that the client was at sudden risk of death, required hospital attention and was unfit to fly. He was granted bail immediately and released to his home address. Subsequent to his release A has received advice on a potential claim for unlawful detention and has instructed a solicitor to assist with an application to revoke his deportation order with the help of Exceptional Case Funding.

Had A not contacted us, it is quite likely that he would have remained in detention despite the fact that the Home Office was aware that he could not be removed and had a serious heart condition. Unfortunately it is typical that many of the people we represent have very little or no access to legal advice in prison and are often self-represented throughout the deportation process, despite having compelling and meritorious cases.

Separated families’ project

Adults who have dependent children can be detained on the same basis as adults without children. However, the Home Office has a legal duty to safeguard and promote the welfare of children and to take all its decisions which affect children having regard to whether or not that decision is in the best interests of the children. At BID we do not believe that separating children from their parents solely for immigration purposes can ever be in their best interests. Our project provides legal advice and representation to parents held in immigration detention to enable them to be reunited. We supported 138 parents separated from their 272 children. 116 bail applications were heard, and 73 were successful. 27 cases were referred for unlawful detention challenges or immigration-related claims.

Feedback from clients showed that 90% rated the service “excellent” with the remainder “good” or “satisfactory”.

‘BID worked very well and was excellent. The communication was spot on.’

‘The bail grounds [were] exceptionally well presented. A few weeks ago I felt hopeless and wasn’t even going to apply for bail, however I discovered BID by chance and it’s nice to know am not abandoned here as some people really care about liberty and human rights’

‘I would never have got bail if not for their advice. I felt so happy that some people are actually doing everything in their power to help me voluntarily.’

‘Excellent. Did there excellent best where others didn’t. Makes me feel more in control.’

CASE STUDY

A client with a wife and four children in the UK and who had been reporting for eight years without issue was detained on reporting after his deportation appeal was dismissed. In fact the deportation decision had been served on his previous representatives. He lodged an out of time appeal but the Home Office insisted that they could deport him. Bail was initially refused after the Home Office gave assurances, without presenting any evidence (e.g. a travel document or details of a removal date) that deportation would take place. We applied for bail again which was granted and the client was reunited with his wife and children.

Article 8 & Deportation Advice Project (ADAP)

The project provides advice and representation to people facing deportation from the UK. Under the provisions of the UK Borders Act 2007, any foreign national with a criminal conviction of 12 months or more is subject to automatic deportation, regardless of length of residence in the UK. Until 2013 when legal aid cuts removed deportation from scope of legal aid, it was possible to get legal aid to argue that a private and family life had been established in the UK and that deportation would be disproportionate. However, with the passage of two Immigration Acts (2014 & 2016) together with the removal of legal aid, it is now very difficult to win a deportation appeal. The project prioritises long-term UK residents with British families and those with particularly compelling circumstances. It also prepares and disseminates a range of self-help leaflets about deportation.

121 people were provided with advice or representation in the last year. A further 28 people attended workshops at HMP Huntercombe, HMP Pentonville, HMP Peterborough and HMP Wandsworth.

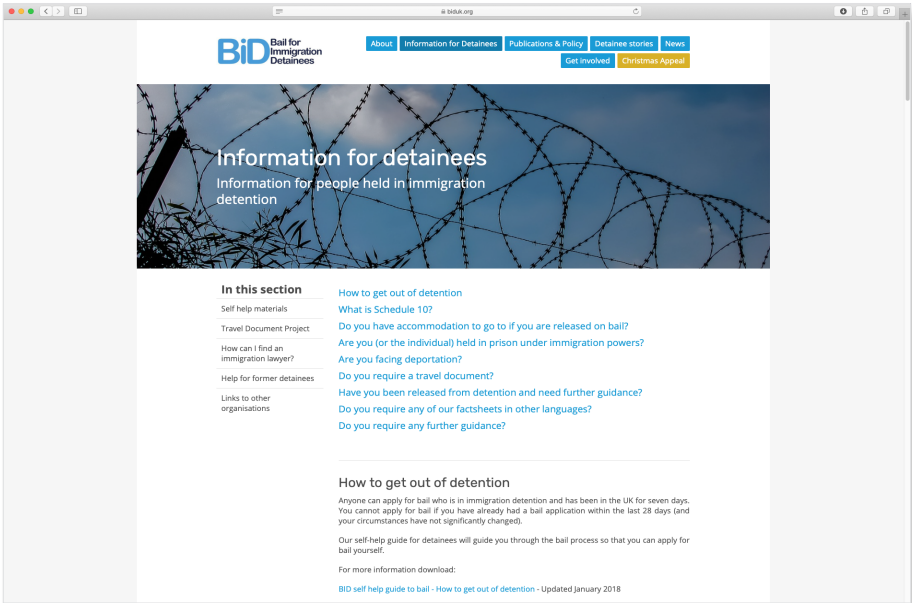
We lodged 7 full deportation appeals of which 5 were heard at the First Tier Tribunal, 3 were successful and 2 were refused but have onward appeals to the Upper-tier Tribunal pending. We also had 13 Case Management Review hearings.

Judicial Review referrals

We made 7 referrals for judicial review. These were a combination of challenges to certification under Regulation 33 of the EEA regulations which allows the Home Office to remove an EEA national before the appeal had been finally determined, refusals to accept representations as amounting to a fresh claim and refusals of the Tribunal Service's decisions not to grant a fee waiver for appeals.

Exceptional Case Funding Project

The Legal Manager has been responsible for running BID's newly set up "Exceptional Case Funding (ECF) project that works in partnership with four commercial legal firms who are drafting the applications for funding under the supervision of our Legal Manager. Cases have been selected which require expert evidence, such as an Independent Social Work report or expert mental health report. This partnership aims to refer 24 cases (6 cases per firm). The signs so far are positive with 13 referrals having already been made, and the project serving as a useful resource to feed into BID's policy work. The Legal Aid Agency has expressed an interest in learning from the feedback from our outcomes and the experience of our volunteer lawyers who have assisted on the project.



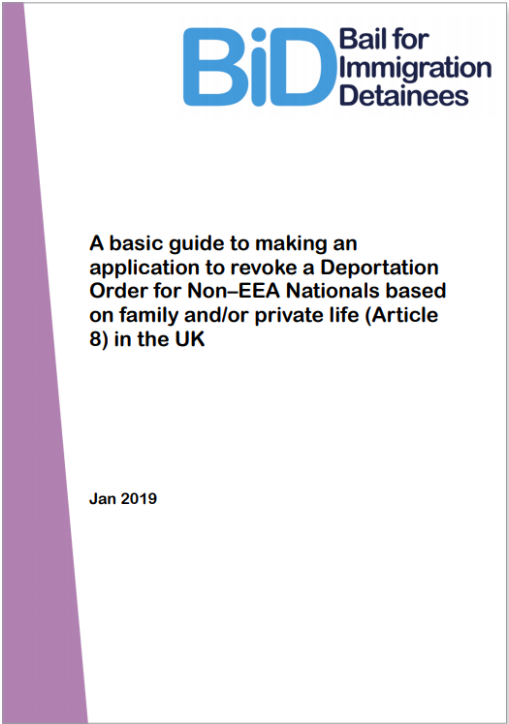
Deportation trends

We are seeing the continued deportation of EEA nationals for relatively minor offending. "Certification" of their cases under the 'deport first, appeal later' regulations has caused many EU nationals difficulties, particularly those without access to legal advice as to how a removal pre-appeal may be legally challenged. We have seen that such returnees may be destitute on return if they have no family or support network to turn to. This significantly affects their capacity to prepare their appeal cases and to return to the UK to attend their hearings.

We have seen increasingly harsh interpretations of immigration law in some judgments from the higher courts, particularly in relation to the meaning of the 'unduly harsh' test as it is applied to children who face separation from a parent and what amounts to 'very compelling reasons' as to why a person should not be deported. This is likely to be a focus for policy work in the coming year.

Self-help materials

We prepared a new self-help guide on applications to revoke deportation orders for non-EEA nationals as well as a new leaflet on how to reply to a Home Office 'One Stop Notice'.



CASE STUDY

John is an EEA national who arrived in the UK as a minor. All his close family were in the UK. John had appealed against a decision to deport him but could not pay for a private lawyer. We took on John's case and won at the First tier Tribunal. The Home Office did not appeal. Without BID's representation, he would have been forced to prepare his case and represent himself at the appeal with no real understanding of the legal tests that he was required to meet.

Research and policy

“Advice and support from BID is simply brilliant. BID does unique services, they know the law well. I will recommend BID to every foreign national; BID is the only effective bail medium in the UK.”

Client

Parliamentary

BID contributed significant evidence to two parliamentary committees that carried out research into immigration detention – the Joint Committee on Human Rights and the Home Affairs Select Committee. After our first submission of evidence the Joint Committee on Human Rights asked us for two additional briefings on specific issues surrounding release accommodation, and detention of EEA nationals, and invited us to give oral evidence before the committee. Both committees produced reports that were condemnatory of almost every aspect of the Home Office’s management of immigration detention and made strong recommendations including judicial oversight of the decision to detain and a time limit on detention.

Alongside Medical Justice and Freedom from Torture, BID attended a meeting with the clerks of both committees to discuss how we can work together to scrutinise the government’s response after reports written by both committees made strong recommendations regarding detention reform including strict judicial oversight and statutory time limit on detention. We also attended the launch of the All Party Parliamentary Group on Immigration Detention which has 14 members from across the political spectrum.

BID signed up to an amendment to the Social Security Co-ordination (EU withdrawal) Bill

which proposes judicial oversight and a time limit on immigration detention. Crucially, if the amendment were to become law it would require the Home Office to bring every detainee before a court within 96 hours and provide evidence that the individual was appeal rights exhausted, had been served removal directions and had a travel document. If the Home Office were unable to satisfy these conditions the judge would be required to order release. BID organised a meeting with NGOs and lawyers where the legislation was discussed and finalised and helped to shape the amendment to strengthen the bail provisions.

Meetings with the Legal Aid Agency

We arranged two meetings with the Legal Aid Agency to discuss concerns that we have about access to justice for immigration detainees. We raised concerns about the lack of immigration legal advice for detainees held in prisons, the poor quality of legal advice in IRCs, the bail merits test, and the need for legal aid advice under the automatic bail regime. We will continue to raise concerns through this avenue as well as looking at opportunities to engage in strategic litigation on the issue. Alongside engaging with the Legal Aid Agency we produced a witness statement for a legal challenge brought by Duncan Lewis concerning lack of access to justice and legal aid advice for immigration detainees held in prisons.

BID’s Legal Advice Survey

BID has continued to carry out six-monthly surveys into legal advice in immigration detention. These surveys reveal the devastating impact of the cuts brought in under the Legal Aid, Sentencing and Punishment of Offenders Act 2012, which removed non-asylum immigration work from the scope of legal aid and the obstacles to people in prisons from being able to access legal advice. In the last year the results of our legal advice survey have been covered in articles in Free Movement and The Justice Gap.

Our surveys exposed a number of issues including the blocking of websites by IRCs and a decline in the quality of legal advice since the expansion of legal aid immigration firms providing advice in IRCs under new contracts which commenced in September 2018. Evidence from our surveys, along with casework evidence, has been used by Public Law Project in a legal challenge to the Home Office’s removal windows policy. At the interim relief hearing for that case it was found that the policy had to be suspended, and around 70 removals had to be cancelled immediately.

Consultation responses

BID submitted evidence to the Tribunal Procedure Rules Committee with regards to the Government’s request that new fast track rules be introduced for people held in immigration detention who are appealing a Home Office decision. We argued against the reinstatement of an expedited procedure for processing the appeals of detained asylum seekers. We were one of seven organisations to submit evidence, all of which were strongly critical of the proposals. After the consultation period the committee agreed with our position and has decided not to introduce the new rules.

BID contributed evidence to the Windrush ‘lessons learned’ review and we met with Wendy Williams who is in charge of the review. We submitted evidence to the government’s review of the Legal Aid, Sentencing and Punishment of Offenders act 2013. We also submitted evidence to the Independent Chief Inspector of Borders and Immigration concerning the adults at risk policy; and to the Home Office’s consultation on the Detention Centre Rules.

Bail Accommodation

BID took part in a meeting with the Home Office that included the Criminal Casework Directorate, Immigration Bail Policy Team and officials working on bail accommodation to raise our serious concerns regarding obstacles placed before people in detention who require Home Office accommodation in order to apply to be released on bail. The discussion also formed part of our engagement with the Bail Policy Team on this and other issues. The issue of bail accommodation is one that BID will continue to focus upon this year focusing attention on engagement with the Home Office, collecting evidence arising from its research and considering possible avenues of litigation.

Stakeholder Meetings

BID attended various NASF meetings including the Detention Sub-group and the Asylum Support Sub-group. We use these forums to bring issues to the attention to the Home Office and seek resolution. After the Immigration Minister and the Director General of Immigration Enforcement gave evidence before the Home Affairs Select Committee we wrote a letter expressing a number of concerns about the evidence they had provided. The Director General of Immigration Enforcement agreed to meet us and in the

meeting we raised concerns regarding Schedule 10 accommodation, post-sentence supervision and rehabilitation of foreign national offenders, the Adults at Risk policy and Detention Gatekeeper process, the automatic bail process, travel documentation issues, and concerns about the general use of detention as a deterrent and the fact that in the majority of cases detention is not used for the purpose of removal and its necessity has not been demonstrated.

We continue to expand our work in prisons where people held under immigration powers face the greatest problems accessing legal advice on their immigration matters. We participated in a meeting attended by the Prison Reform Trust, the Prison Advisory Service and Detention Action where we explained the legal advice services that we provide to people facing deportation who are held in prisons under immigration powers. The Prison Reform Trust has informed us that they are using some of our on-line resource materials and we are reviewing one of their publications that seeks to help people with immigration issues. Our Article 8 Deportation Advice Project (ADAP) also produced an additional advice leaflet and we now have a range of 8 advice leaflets for people who have served criminal sentences and who are facing deportations, but who have human rights claims based on their Article 8 rights to a family life or a private life.

Research and policy

Vulnerable adults

Following our report on the “Adults at Risk” policy published last year we have continued to scrutinise this issue. We have repeatedly raised concerns with the Home Office in stakeholder forums, and BID along with other NGOs met with the Home Office and Dr Alan Mitchell, a doctor of Dungavel IRC, who has been commissioned by the Home Office to look into reform of Rule 35 (for reporting claims of torture, ill-health or for people at risk in detention) and the Adults at Risk policy. We used this opportunity to feed in our concerns and followed this up in writing.

We also submitted evidence to the Independent Chief Inspector of Borders and Immigration’s review into the Adults at Risk policy, and to UNCAT’s review of the UK’s implementation of the Convention against Torture.

Strategic Litigation

DN (Rwanda)
BID was granted permission to intervene by way of making written submissions in the case of DN (Rwanda). We focused on one central question: how and at what stage does an unlawful decision in an immigration matter that has been relied upon to authorise detention render the detention itself unlawful. This case may have far reaching consequences for people detained under the Immigration Acts.

G4S
BID has finally settled its claim of judicial review in our claim against the cabinet office as to whether or not G4S should be designated a “High Risk Strategic Supplier” (pursuant to the Government’s Strategic Supplier Risk Management Policy), in relation to its provision of detention services. This followed the Panorama programme that exposed G4S staff’s ill-treatment of detainees at Brook House. Settlement was agreed after the Government informed us that the Cabinet Office has decided to replace its Strategic Supplier Risk Management policy with a new Memorandum of Understanding and associated policies. While we were advised by our lawyers that in the circumstances we should agree to settle the case this

also came at a time when G4S announced its decision not to renew its contract at Brook House and to withdraw from providing services at Immigration Removal Centres.

Grant from Strategic Litigation Fund (SLF)
The SLF agreed to support BID and Bhatt Murphy’s proposal to prepare evidence in order to apply to intervene in the case of MSM v SSHD. The aim was to use BID’s casework experience to evidence the difficulties that people in detention face when seeking accommodation and support under paragraph 9, Schedule 10 of the 2016 Act. The Home Office subsequently introduced a new process for applying for this support for people who have not been convicted of a criminal offence and made other amendments to its bail policy that led to the case of MSM being settled. BID is now seeking to use its evidence in another case where it can raise its concerns regarding the continued failure of the Schedule 10 accommodation bail policy to meet the needs of people seeking bail accommodation. BID thanks Janet Farrell of Bhatt Murphy solicitors for all her hard work on this project.

BID also provided a witness statement for Duncan Lewis solicitors in a case that seeks to challenge the Legal Aid Agency and the Funding Adjudicator’s decision to refuse funding in a case challenging the discriminatory nature of legal aid funding arrangements for people held in IRCs compared to those held in prisons.

We provided a witness statement in support of Medical Justice’s claim relating to the Home Office’s Chapter 60 policy and the 3 month notice period during which the Home Office suspends its 72 hour notice period for obtaining advice prior to removal. The Public Law Project has been successful in getting that policy suspended pending further developments in the case.

BID has also successfully challenged the refusal to grant two separate appellants with families a fee remission to allow them to proceed with their Article 8 appeals. The challenge led to a commitment on the part of the Ministry of Justice to review how such applications are considered when they are made by people whose family members are reliant on benefits.

With all this work, and other cases not mentioned here, we are grateful for the efforts of the campaigning legal aid lawyers who are indefatigable in their commitment to people held in immigration detention, and for bearing in mind the needs of the unrepresented when considering the systemic problems that people in detention face.

Media and Communications

We have continued to cultivate relationships with journalists at The Guardian, The Independent, The Observer, and The Financial Times. On 9th October last year we worked with the Guardian who produced a series of articles focusing on immigration detention including a front page piece. This was predominantly based on the data we had given to them. BID staff have written articles for Free Movement and the Justice Gap. We continue to work with Diane Taylor of The Guardian on a long-term research project regarding enforced removal from the UK. We had 64 media mentions in the last 12 months. We have seen significant audience growth across all of our communication channels including our mailing list and social media pages. 27,219 people visited our website in the past year, up from 22,314 in the previous year and we now have 9,714 twitter followers and our tweets were seen 2.3 million times last year.

Immigration and asylum

Families and lawyers call for end to deportations of long-term UK residents

Relatives of people sent to Jamaica this week say policy of double punishment is unfair

Amelia Gentleman
@amelia Gentleman
Sat 9 Feb 2019 07:00 GMT

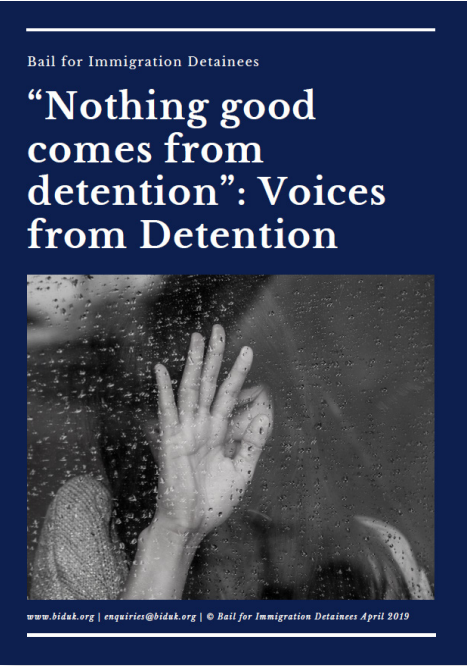
1,341



▲ Vance Brown, whose son Chevon was deported on Wednesday. Photograph: Graeme Robertson/The Guardian

Report: “Nothing good comes from detention”

In April 2019 BID published a report based on in-depth interviews with current and former detainees. During the six month period from December 2017 to June 2018 we interviewed 89 individuals who were either detained at the time of their interview with BID or had previously been detained. We recorded their verbatim testimonies which made up the substance of the report. The research threads together testimonies from a diverse group of people, some of whom may have committed offences in the past and are facing deportation, others who are survivors of torture or trafficking, and some who have severe health problems; all of them have been deprived of their liberty for immigration purposes. Our aim is to reflect their experiences of the injustice of detention.



“I’ve been injured in the head in 2016, and was treated in Royal London Hospital. When the surgery was done there was a blood clot. I’ve given the details to the Home Office and also have had a Rule 35. I still have health problems. I am on medication and I have had a CT scan in detention healthcare. After the doctor saw the scan he said that I need to see a neurologist because there was white patches. I had an appointment made with the neurologist from outside, the doctor said that I needed this because they wanted to check my brain and my head. It was on 17/01/18, but the neurologist never came. I asked about this in the healthcare and they told me that there’s no doctor so they have to re-book you. Or otherwise you can complain to the Home Office. I feel that I need to go to the Royal London Hospital, I have written to the Home Office asking for TA [bail] but they’re not giving it to me. The main problem is that I am in so much pain but they are only giving me medication for painkiller. I have been told that I need an appointment with the neurologist but it’s not coming. I have pain in my head, and I need to find out what it is.”

- a voice from Colnbrook



“They just give me Paracetamol but I’ve got a hernia. I’ve been taking it for so long it will damage my liver.”

- a voice from Morton Hall

“For me being a disabled detainee, I have health issues, mental health as well, before Yarl’s Wood I wasn’t on medications, I got Rule 35, twice, the doctor said that I am not fit to be in detention....I was supposed to go tomorrow for an operation, but it is no use having an operation here because I will be alone. I am on crutches because I cannot walk. A few days ago I was by myself and I fell, I could not get to my phone or the emergency bell, nobody helped me, I pulled myself up and eventually went to the healthcare and they gave me an ice pack. I could have bashed my head...I should be released; I’ve been in the UK for over 30 years.... here life is wasted, there’s nothing, no education, nothing that you can learn to do back home...They kept me here, my consulate refuse to give me travel documents, I’m a victim of domestic violence and rape, all my children are here and are British citizens, 5 children, 4 of them have health issues and need my help, I have no family in [my birth country]. What life is that? I’ve been here 10 months...”

- a voice from Yarl’s Wood

“I think prison is better than here, this place is like mental torture – some people here don’t know when they’re going to get deported or released. Detention is far worse than prison because you know when you’re going to get out.”

- a voice from Colnbrook

“When they took me to the plane, there was 5 big guys. I said I don’t wanna go, and he was pushing me, and they put me in a headlock and tried to close my mouth. 6 foot 5 inch guy and he broke my hand. I told the doctor that my hand was broken, and he wrote something down, and he just gave me painkillers. No one helped me-immigration people don’t care about medical care. I was there 9 months, three times they took me to the airport to send me back... I’ve been 11 years in England.”

- a voice from Brook House, detained at the time of Panorama footage

“I’ve seen people try to kill themselves. But whatever they’re doing, no one is there to really talk to them. People here going through difficult time need someone to talk to, someone to express their feelings to. But there’s nothing here like that. When you wake up you don’t know if you’re going soon.”

- a voice from Colnbrook

“If you make a complaint about the staff, they will make your life hell, and you worry that it may damage your case.”

- a voice from Brook House, detained at the time of Panorama footage

A year in pictures

Our movement to end detention is growing. Over the past year BID has seen audience growth across all its communication channels. While raising the profile of immigration detention as a human rights issue, this is also enabling us to communicate with more people than and is significantly increasing our fundraising potential. In fact we raised over £10,000 more from individual giving, memberships and events than the previous year and this is largely due to the commitment and dedication of our growing supporter base who are taking action to help BID.





"In Whose Best Interests?":
The separation of families by detention and deportation and the BID Annual General Meeting
22 January 2019 Linklaters LLP

Visit our stand to speak to us about how you can help #EndDetention

 Sign up as a member

18:00 Annual General Meeting
Approval of minutes of 2018
AGM, matters arising
Treasurer's report
Approval of auditors
Election of trustees
Chair's/Director's report
Any other business



Financial Information

For the year ended 31 July 2019



STATEMENT OF FINANCIAL ACTIVITIES FOR THE YEAR ENDED 31 JULY 2019

	Unrestricted Funds £	Restricted Funds £	2019 £	2018 £
Income				
Grants and donations	340,568	7,500	348,068	376,090
Charitable activities	-	301,320	301,320	325,600
Investments	2,356	-	2,356	1,693
Total	342,924	308,820	651,744	703,383
Expenditure				
Raising funds	46,765	7,500	54,265	60,683
Charitable activities	274,137	310,307	584,444	603,882
Total	320,902	317,807	638,709	664,565
Net income/(expenditure) and net movement in funds for the year	22,022	(8,987)	13,035	38,818
<i>Reconciliation of funds</i>				
Total funds, brought forward	298,790	33,197	331,987	293,169
Total funds, carried forward	320,812	24,210	345,022	331,987

BALANCE SHEET AS AT 31 JULY 2019

	2019		2018	
	£	£	£	£
Fixed assets				
Tangible assets		6,009		12,017
Current assets				
Debtors	19,101		15,872	
Cash at bank and in hand	398,574		346,416	
	417,675		362,288	
Liabilities				
Creditors: amounts falling due within one year	78,662		42,318	
Net current assets		339,013		319,970
Net assets		345,022		331,987
Funds of the charity				
Restricted funds		24,210		33,197
Designated funds		30,000		-
General funds		290,812		298,790
Total charity funds		345,022		331,987

The trustees have prepared accounts in accordance with section 398 of the Companies Act 2006 and section 138 of the Charities Act 2011. These accounts are prepared in accordance with the special provisions of Part 15 of the Companies Act relating to small companies and constitute the annual accounts required by the Companies Act 2006 and are for circulation to members of the company.

“People entering detention have no idea how long that detention will last. This lack of certainty and hope presents significant difficulties for detainees. We took evidence from three former detainees who told us that being detained alongside individuals who had spent years in detention exacerbated their uncertainty as to how long they would be detained for.² Detainees face other challenges in detention including difficulties accessing legal advice and consequentially limited opportunities to challenge their detention; poor or prison like conditions in some Immigration Removal Centres (IRCs); unnecessarily restrictive regimes where detainees are locked in their rooms for extended periods of time; and in some cases, unsympathetic attitudes, heavy-handedness or ill-treatment by immigration enforcement teams. Such conditions can cumulatively affect detainees’ mental and physical health. One detainee told us that the experience of detention was so debilitating that “even the person with the most powerful mental resilience goes through some form of mental torture” in detention”

-Joint Committee on Human Rights, 2019



Brook House Immigration Removal Centre

“Advice and support from BID is simply brilliant. BID does unique services, they know the law well. I will recommend BID to every foreign national; BID is the only effective bail medium in the UK.”

Client

A LEGAL VOICE FOR IMMIGRATION DETAINEES

BiD Bail for
Immigration
Detainees

www.biduk.org

Email: enquiries@biduk.org

Registered Charity Number 1077187
Registered by the OISC reference number N200100147
Registered in England as a limited company number
3803669